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# THE QUARTERLY

OF THE

# TEXAS STATE HISTORICAL ASSOCIATION

VOLUME XI.

JULY, 1907, TO APRIL, 1908.

PUBLICATION COMMITTEE.

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AUSTIN, TEXAS:

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# The Texas State Historical Association.

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# THE QUARTERLY

OF THE

TEXAS STATE HISTORICAL ASSOCIATION

VOL. XI.

JULY, 1907.

No. 1.

*The publication committee and the editors disclaim responsibility for view expressed by contributors to THE QUARTERLY.*

## GENERAL AUSTIN'S ORDER BOOK FOR THE CAMPAIGN OF 1835.<sup>1</sup>

Head Quarters of the Army of Texas,  
Gonsales October 11 1835.

Order No. 1.

General Orders.

Col Stephen F. Austin having been unanimously elected to the office of Commander in chief of the army of Texas hereby assumes the command thereof.

Col. Warren D. C. Hall is appointed Adjutant and Inspector General, and David B. Macomb is appointed Assistant Adjutant and Inspector General of the army of Texas.

P. W. Grayson is appointed aid de Camp.

A general muster and inspection will take place at 9 Oclock A. M. tomorrow 12th October. The line of march will immediately thereafter be taken up for Bexar.

<sup>1</sup>This is one of the most important documents relative to the Texas Revolution hitherto unpublished. The original consists of an unbound manuscript volume of eighty-two pages. Pp. 1-28 and 31-46 are 7 $\frac{3}{4}$  by 9 $\frac{1}{2}$  inches; pp. 29 and 30, 7 by 7 $\frac{1}{2}$ ; pp. 47-72 and 77-82, 7 $\frac{3}{8}$  by 12 $\frac{1}{2}$ ; and pp. 73-76 are on two small inserted scraps of paper about 7 $\frac{3}{4}$  by 5. Most of the orders written on the larger sheets are in Austin's hand and are signed with his autograph. Most of the remainder are copied, both the orders and the signatures; but the original of Order No. 2 is lying loose between the leaves of the manuscript. The annotations are all by the editor. The abbreviations L. S., D. S., A. L. S., A. D. S., mean respectively letter signed, document signed, autograph letter signed, and autograph document signed.

Parallel with the Order Book should be read W. T. Austin's account of the campaign, in *A Comprehensive History of Texas*, I 536-560.

Shooting in camp or on the line of march is prohibited. The Captains of Companies will make a daily report of the situation and strength of their companies.

A detail of camp, picket and horse guard will be daily made, and an officer of the day and an officer of the guard appointed. The guard will be turned off at 9 O'clock precisely, except when the army is on the march.

[Every (?)] citizen soldier of the army of the people now in the field . . .<sup>1</sup> apprized of the cause he is defending—it is the cause of the Constitution and of freedom: the cause of each man individually and of Texas collectively—our prosperity and happiness will in a great measure depend on the issue of the present campaign—every one feels its importance, and it is unnecessary to appeal to the patriotism of the army. But the Commander in chief deems it his duty to remind each citizen soldier that patriotism and firmness will avail but little, without discipline and strict obedience to orders. The first duty of a soldier is obedience. It is expected that the army of the people altho hastily collected will present an example of obedience that will do honor to the cause we are engaged in, and credit to the patriots who are defending it.

General order.

Head Quarters,  
Gonsales October 11th 1835.

Order No 2.

In order to secure the interest of individuals as far as practicable, Pleasant B. McNeil, Randal Jones, Dr. Asa Hoxey, and Ezekiel Williams are hereby appointed appraisers of each man's horse and equipments and all other property employed in the public service during the present campaign. They will make returns of their appraisements to the Adjutant and Inspector Genl as soon as practicable.

Signed

S. F. Austin  
Com in Chief.

By Order,

David B. Macomb

Asst Adjt and Insp Genl.

<sup>1</sup>One or two words are here torn out.

No 3.

Special order.

Gonzales, October 12th 1835.

In addition to the lances already made Col. Moore will procure fifty more to be furnished as speedily as possible.

(Signed) S F Austin

D B. Macomb

Com. in Chief.

Asst Adjt and Insp. Genl.

General order

Gonzales,

No 4.

October 21th 1835

Patrick Jack is hereby appointed Quarter Master General of the army of Texas

Signed

S F. Austin

David B Macomb

Com in Chief

Asst Adt and Insp. Genl.

Head Quaters,

Gonzales October 11th 1835

To Capt. Benjamin F. Smith  
and John Alley

Sirs

As the army will cross the Guadalupe tomorrow at 9 O'clock and take up the line of march for Bexar immediately thereafter; you will please march the troops under your command with all possible dispatch, by the best and shortest route which your position will permit to join the army on its march. You will please communicate this order to Capt. Collinsworth of the Matagorda Volunteers who is supposed from recent information to be in your quater, to form a junction with the army also. You will also please send an express to inform the commander in chief when and where your detachment will probably join the Army.—

David B Macomb

By order

Asst Adjt and Insp. Genl

Head Quarters Gonzales Octr. 12, 11 oClock A. M.  
1835

To Captn. Benjn. Smith, G. W. Collinsworth and Captn. John Alley.  
Gent[lemen],

The information of the taking of Goliad by Captn. Collinsworth has this moment been received.

You were informed by express last night that the army would cross the river, today, and take up the line of march for Bejar, and you were ordered to form a junction as soon as practicable by the best and shortest route which your position would permit.

The army are crossing and will be all over, today, and march with all possible dispatch for Bejar.

The Fort of Labahia must be retained. As at present advised it is considered that one hundred men will be amply sufficient, for that object. The balance of the Detachment, will march with all possible dispatch and join the Army. The point of Junction will depend on the information you may have of the movements of the enemy. I can, therefore only say that the crossing of the Sivolo or of the Salado or some point between them, would be a convenient one.

You will distinctly understand that Labahia is to be retained, and the public stores secured so far as practicable, especially, the army amunitions which are now needed by the army, and you will send as large a supply of them with the detachment which is to join, as can be done without retarding its march too much.

You understand that the position taken by the people of Tejas is to support the Federal Constitution of 1824, and to oppose Centralism.

It is understood that the people of Goliad, and Victoria are in favor of the same cause, we are defending. You will therefore spare no pains to inform them of our principles—and get them to pronounce for the same Cause and elect members to the Consultation which has been post poned till the 1st day of November.

You will send as many men to join the army as can be spared, so as not to endanger the objects mentioned in the communication.

(Signed[ ])

S. F. Austin, Commander gr.

Special order.

Head Quarters, Octr 12, 1835

Mr. John Kane is authorized to procure from Mr. Benjamin Duncan a Horse for the Campaign to Bejar The horse to be appraised and paid for in the event of his being lost.

[ ( ) Signed ) S. F. Austin.

Head Quarters, Gonzales,

Octr 12, 1835

The army is crossing the river and will march against Bejar with all possible dispatch.

You are requested to inform the Volunteers who are starting, of this, and to hurry their march as fast as possible.

An express has informed me of the taking of Goliad. This event is of great importance and will contribute very much to the success of the army cause.

By the enclosed you will be informed that I have been elected Commander in Chief. I have appointed Warren D. C Hall Adjutant General and David B. McComb Assistant Adjutant Genl—Patrick C. Jack Quarter Master Genl. and Valentine Bennett Assistant—P. W. Grayson and Wm. T Austin, Aid de Camps.

The election of the other Field Officers necessary to complete the organization will take place today. All are united and in harmony.

respectfully

Your obt. Svt.

Signed S. F. Austin

To the Committee of Safety—

San Felipe.

Head Quarters, West Bank of

the Guadalupe Octr 13, 1835

Gentlemen

On this day the Volunteer troops of Texas take up the line of march for Bejar.

The whole number of the force here does not exceed 300 men. We have hopes to be joined by the Detachment at Goliad consisting of about 170 men, as an express has been sent to them to leave Goliad and fall in with us on the road we take. But some casualty may by possibility prevent this.

I have therefore to request that you will use every exertion to press on Volunteers, who may come up with us in time to give us important, perhaps indispensable aid in the attack on S. Antonio.<sup>1</sup>

Fail not to use every possible exertion in this respect I beseech you. If there is any intelligence coming on from Nacogdoches, dispatch an Express to them immediately, urging them to hurry on by forced marches to join us.

Let me request you, further, to send on without delay Waggons with what amunition you can procure, for cannon and small arms—powder, lead etc, also provisions such as meal, beans, sugar and coffee and what ever else you may judge necessary for the troops. I wd have you send also 2 Reams of paper 2 bottles of Ink, with a supply of Quills.<sup>1</sup>

The troops are all in high spirits.

Respectfully

Yr. obt Sevt,

S. F. Austin,

Commander etc.

To the Committee of Safety,  
San Felipe.

Special Order.

Mr. L. Smithers is hereby ordered to take charge of the ferry boat at Gonzales and hire men to repair it. He will take special care to keep it in good order and bailed out and secure and ready for service at all times.

Head Quaters at Williams place.

Octr 13, 1835

(Signed)

S. F. Austin

Commr in chief.

General Orders

Williams place near Guadalupe 13th

Octr 1835

To Lieut. Col. Edward Burleson

You will announce to the army that John H. Moore is elected Col. Edward Burleson Lieut. Col. and Alexr. Somervill Major of

<sup>1</sup>Opposite these paragraphs the word "Canceled" is written in the margin.

the Regt. Also that Patrick C. Jack is appointed Quater Master  
Genl. Valentine Bennett Assist. Qr. Master and William T. Austin  
2d Aid.

Wm. H. Wharton Esq Judge Advocate

Signed

S. F. Austin

By Order

Commr. in Chief.

Warren D. C. Hall

Adjutant and Insptr. Genl

Head Quarters, West Bank Guadalupe,

Oct 13 1835.

Gentlemen,

On this day the volunteer troops of Texas will take up the line  
of March for Bejar. The whole number of the force here does not  
exceed 300 men. We have hopes to be joined by a part of the  
Detachment at Goliad, as an express has been sent to them to join  
us on the road. But some casualty may by possibility prevent this  
as Capt. Collinsworth has been ordered not to abandon the fort at  
that place.

I have therefore to request that you will use every exertion to  
press on Volunteers who may come up with us in time to give us  
important—perhaps indispensable aid, in the attack on S Antonio.

Fail not to use any possible exertion in this respect I beseech  
you. If there is any intelligence of troops coming on from Nacog-  
doches let an Express be dispatched to them immediately, urging  
them to hurry on by forced marches to join us and not to stay  
for the Tenoxtitlan Cannon or anything.

Let me request you further to send on without delay waggons  
with what ammunition you can procure for Cannon and small  
arms—powder, lead etc also provisions such as meat, beans, Sugar  
and Coffee and what ever else you may judge necessary for the  
troops. I would have you send also 2 reams of paper—2 bottles of  
Ink with a supply of quills, wafers and sealing wax.

I have to inform you that Goliad was taken by Capt. Collinsworth  
on the 8th inst with fifty men Capts Smith and Alley marched  
from here previous to my arrival with about 110 men for Victoria  
which it was reported had been attacked, and they have no doubt  
formed a junction with Capt. Collinsworth. As many of this force  
only, as can be spared so as not to endanger the retaking of Goliad

are expected by us; so that a reinforcement from that quarter is uncertain.

(Signed[ ])

S F Austin Commander

To the Committee of Safety

S. Felipe

Head Quarters West Bank Guadalupe

Octr 13, 1835

To the Commander [*sic*] of Safety

S Felipe

Dr. James B. Miller will deliver to you three officers taken prisoners at Goliad by Capt. Collinsworth. They are Colo. Francisco Sandoval, Capt. Manuel Savariego, and Ensign Antonio Garza. I wish them treated as Gentlemen and that their situation should be made as agreeable and comfortable as possible.

For which purpose I wish them placed under the charge of Governor Zavala should he be at my house, and if not, under that of Mr. Spencer Jack until Mr. Zavala arrives. On their parole of honor, given in writing—the liberty of the town might be given them.

(Signed) S F. Austin

P. S. Capt. Manuel Savariego (who is married to a Texas Lady of Goliad, and who is known to be a man of liberal sentiments and agrees with us in the Cause for which we are fighting and has formerly on one occasion pronounced in favor of Federalism,<sup>1</sup> has been in Consequence of the situation of his family at Goliad, been permitted to return there on his parol of honor.

S F. A.

Head Quarters, West Bank

Guadalupe Octr 13 1835

To the Committee of Safety.

S Felipe.

Gent.

It has been deemed best on Consultation to let Capt. Manuel Savariego at liberty, on his parole of honor but he is sent on to S Felipe, that he may have an opportunity to talk with Mr. Zavala

<sup>1</sup>Instead of the comma after this word there should have been a parenthesis mark.

and receive from him an explanation of the Cause we are defending which is the Constitution of 1824, and the Federal System. He says that the General Opinion is that Texas has declared independence and that this opinion prevents the Mexicans from joining us.

You will therefore release him on his written parole of honor not to take up arms—nor do nor say any thing against the Cause we are defending until he is regularly exchanged or the War ceases. Should Mr Zavala be absent, open his letter.

(Signed) S F Austin

#### General Orders

The guard will parade at head quaters at five Oclock P. M at the beating of the drum. It will consist of a Captain, officer of the day a Lieut. officer of the guard, 4 noncommissioned officers and forty men. It will be divided into four reliefs. After day light the officer of the day will order the guard to herd all the horses near the lines, and after performing this duty he will parade the guard at head quaters by sun rise. The officer of the day will then detail six men from the rear guard who will report themselves to the quater master to aid in driving beeves. The first and second relief will form the front guard under the command of the officer of the day. The third and fourth relief will form the rear guard under the command of the officer of the guard. The baggage waggons will march in the rear of the second Batallion and the rear guard will march in rear of the baggage waggons. The rear guard will bring up all straglers and suffer no one to fall behind. The officer of the day as soon as the guard parade and [are<sup>1</sup>] ready to march off in the evcning will report the same to the Adj't. Genl and receive the countersign and instructions.

Signed

S F Austin

#### General Orders

##### Head Quaters

Camp Williams Octr. 14th 1835

As good order and deciplin are indispensably necessary in military service, since without them all must fall into chaos and con-

<sup>1</sup>The writer evidently had the plural conception of "guard" in his mind.

fusion and as the present Volunteer army of Texas is so far on the march on a campaign of Vital importance to the lives and interests of all and as yet unprovided with any system of regulations necessary to their own security and the great objects they have in view—The following rules and regulations have by advice and consultation been devised for their government—

1st. It is ordered that the strictest obedience be paid on the part of evry man in the army to the orders and commands of their superior officers.

2nd. Ordered that evry volunteer in the army pay the strictest attention to his arms and amunitions taking care at all times that his gun shall be in the best order for immediate use if necessary and that his horn or powder flask be kept sound dry and in good condition and that he have at all times in readiness a good supply of bullets. For neglect of this order the person offending shall be subject to the reprimand of his Capt. on parade.

3d. It is particularly ordered that the sentinels shall be vigilant and faithful in the discharge of their duty executing with the utmost strictness whatever may be enjoined them. They are especially ordered in no instance to fall asleep *on post*. Any soldier violating this order which is so plainly necessary to the security of the whole army shall be subject to such punishment as may be inflicted by the sentence of a court martial.

4 It is ordered that the strictest good order be observed by the army both in camp and on the march. All riotous conduct and noisy clamorous talk is specially prohibited.

5 Shooting in camp or on the march can by no means be permitted. For the first breach of this order the punishment shall be a public reprimand from the Capt. of the company to which the offender may belong. And for the second breach the party shall be subject to the sentence of a Court Martial.

6 Ordered that evry horse in the army shall be hobbled or tied up by the owner evry night and during each halt through the day.

7 For evry violation of duty or act of disobedience to orders—to which there is no fixed punishment in these articles the person offending shall be responsible to a court martial specially called to pass sentence upon and punish his offense.

8 It is ordered that no company shall consist of less than thirty men or more than seventy (70)

9 It is ordered that evry volunteer in the army who may not yet have attached himself to any company shall immediately enroll himself in some one where he may bear his fair proportion of duty.

10 Ordered That evry company or division of the army on the march keep the order assigned to it without deviating from or leaving its position without special permission and no volunteer shall leave the ranks without permission of the captain

Signed

S F Austin  
Comr. in chief

Warren D C Hall,  
Adjt and Inspr. Genl

General Orders

Encampment of the Army of Texas.

West Bank of the Guadalupe

Octr 13, 1835

To Lieut. Colo. Burleson,

You will announce the election of John H. Moore Colo of the Regiment, Edward Burleson Lieut Colo. and Alexander Somerville Major.

Also the appointment of Patrick C. Jack Quarter Master General  
Valentine Bennett<sup>1</sup> Asst. Quarter Master

Wm. T Austin 2d Aid

Wm. H Wharton Esq. Judge Advocate

By Order

Warren D. C. Hall  
Adjutant and Inspector Genl.

Camp Williams Octr. 14, 1835

Capt. Milam,

You will take Command of the Spy Company—take the direction to Bejar—cross the Civola below the crossing, and if possible make prisoners of the guard of Mexican Soldiers stationed at the crossing. Should you Succeed in taking the guard you will Send

<sup>1</sup>Written in the margin opposite this and the two following names is the note "(Recorded before)."

them immediately to the army—after which you will proceed on your rout avoiding the main Crossing of the Salado—crossing above and ascertaining the best route of passing the S. Antonio river above Bejar. You will bear always in mind, to avoid if possible, discovery yourself or giving any alarm to the Mexieans unless you are satisfied by doing so, you will effect some material object. In passing the Civola, if you have any men that are acquainted with the Country, send two of them down the Civola to meet the Detachment from Goliad, which has been ordered to form a junction with the Army at the Civola, or at some intervening point between that and the Salado. You will communicate with me by express at the Civola. Should you meet with any Mexieans on your route, you will make them prisoners and send them immediately to the Army. It is important to ascertain if practicable without discovering yourself, whether the enemy are apprised of the approach of the Army or are making any fortifications or other preparations—also whether any troops have been sent in the last few days to Goliad. It is all important that we hear from you at the Civola.

(By order)

Warren D C Hall  
Adjutant and Inspector Genl.

Head Quarters 16th Oetr. 1835  
Camp Sandy

Noah Seott is appointed Depy Assist. Quar master

S F Austin

By order

Commr in chief.

Warren D C Hall

Adjt. and Insptr. Genl

General Orders.

Camp 3d Sandy Oetr. 15, 1835

1st. In the Case of alarm on the march the advance and rear guard will form in the rear of the Centre, and will take charge of all the horses, and tie them up or hobble them: and in case the Army is encamped in a square, the guard will herd the horses in the rear of the Encampment.

2d. Every man must have a rope tied around the neck of his

horse, and in case of his not having one, he must have a hobbling string tied on.

3d. Each Captain will detail, daily, one man for every ten, to take charge of the horses, of his Company, in case of alarm, when mounted and drive them to the center and deliver them to the guard; after performing which service, they will return to their respective Companies.

4th. Each Batallion will be divided by the Field officers of the Regiment into two Divisions, as nearly equal as possible, and report the same to the Adjutant General stating the strength of each Division

(Signed) S F. Austin  
Commander in chief

Wm [*sic*] D. C. Hall,  
Adjt. and Insp. Genrl.

Head Quarters Civola  
Octr 17, 1835

Mr. Martin,

I wish you to permit your mill to grind meal for the Troops to be sent out here with as little delay as possible. This measure is indispensable—it must be done. You can hire [some one] to attend the mill or a person will be detailed to do it and the mill placed under his charge

(Signed) S F Austin  
Comr in chief

Camp on the Civola Octr. 16  
9 oClock p m

This day the army occupied this position on the left bank of the Civola where it will remain until the reinforcements from the red Lands and others join. I have dispatched this Express to inform the troops who are on the road of this, and to hurry them on by forced marches.

The spies have discovered the trail of a Detachment of about one hundred of the enemy's cavalry about ten miles beyond this. There is no doubt the enemy are informed of the movement of the army.

Signed

S F Austin

To the Committee of Safety,  
S. Felipe

## Division del Ejercito Federal de Tejas

<sup>1</sup>Deseando evitar los funestas consecuencias de la guerra Civil que desgraciadamente amenaza a Texas, deseo enviar a V. S. un oficial con una bandera pa. llevar una comunicacion a v. s. que espero resultará en el reestablacemiento de la paz y la confianza en Texas. De consiguiente espero que se servira vs. decirme se recebiria el dicho oficial en el caracter indicado, con los corespondientes garantias para su escolta de seis o ocho hombres. Llevará una bandera blanca para que sean conocidos y la misma bandera sera respetada de parte de las tropas de mi mando.

Dios Federacion y Libertad. Cibolo 17, de Octubre, 1835.

S F Austin

Martin Perfecto De Cos

(Unofficial)

Cibolo 17, de Octubre 1835

<sup>2</sup>Sor Grl D Martin Perfecto de Cos,

Acabo de recebir en este punto la carta de V. fecha en Goliad el 5 del Corriente.

<sup>1</sup>*Translation.*

Texas Division of the Federal Army.

Desiring to avoid the sad consequences of the civil war which unfortunately threatens Texas, I wish to send your excellency an officer with a flag [of truce] in order to open a negotiation with you which I hope will result in the re-establishment of peace and confidence in Texas. Consequently I hope your excellency will be pleased to tell me that the said officer will be received in the capacity indicated, with corresponding guarantees for his escort of six or eight men. He will carry a white flag in order that they may be recognized, and the same flag will be respected by the troops of my command.

God, Federation, and Liberty. Cibolo, October 17, 1835.

S. F. Austin.

Martin Perfecto de Cos.

<sup>2</sup>*Translation.*

(Unofficial.)

Cibolo, October 17, 1835.

Sr. Gen. D. Martin Perfecto de Cos:

I have just this moment received your letter dated Goliad, the 5th inst. By the despatch which goes with this I have indicated to you that I desire to send an officer with a flag [of truce], in order to open communication with you concerning the unfortunate discords which exist in Texas. I can not doubt that thus will be opened the way for the satisfactory adjustment of all the affairs of Texas. This is my desire, and I will contribute to the attainment of so important an object to the extent that my duty will permit. Hoping that you will answer me tomorrow, I remain,

Your obedient servant,

S. F. Austin.

Por el oficio que va con esta, he manifestado a V. que deseo enviar un official con una bandera, para llevar una comunicacion a V. sobre las desgraciadas desavenencias que existan en Texas. No puedo dudar asi se abra el paso para el arreglo de todas las cosas de Texas satisfactoriamte. Este es mi deseo y contribuiré al logro de tan importante objeto en quanto me permeterá mi deber. Esperando que me contestara mañana quedo de V. el atento servidor.

S F Austin.

Head Quarters of the Army of Texas  
Camp at the Civolo  
October 18th, 1835

General order

Doctor William D.<sup>1</sup> Smith is hereby appointed Surgeon of the Army. He will appoint as many assistants as he may deem necessary. The Captains of each company will report o he Surgeon of the army all their sick and no one will be exempt from duty without a certificate from the surgeon or one of his Assistants.

By order

Stephen F. Austin  
Com. in Chief  
Army of Texas.

David B. Macomb  
Assist Adjt and Inspr. Genl.

General Order.

Head Quarters Federal Army of Texas.  
Camp on the Civolo October 18th 1835

The Captains of each company will furnish to the Adjutant and Inspector General of the Army a roster or muster roll of all his rank and file, to be then deposited as an archive by which to ascertain the names of all those who fought for the constitution in its most trying hour.

By order

Stephen F Austin  
Com. in chief

David B Macomb  
Asst Adjt and Inspctor Genl  
Federal Army of Texas

<sup>1</sup>This initial is rather uncertain.

## General Order.

Head Quarters of the Federal Army of Texas  
Camp on the Civola Octr 18 1835

Major William H. Jack is hereby appointed Brigade Inspector of the Federal Army of Texas. The troops will hold themselves in readiness to march at a moment's warning to meet the enemy.

By order

Stephen F. Austin  
Com. in chief  
Federal Army of Tex.

David B Macomb,  
Asst Adj. and Inspctr Genl  
Federal Army of Texas

## Special Order.

Head Quarters Fed Army  
of Texas

Camp on the Civolo October 18 1835

The Companies commanded by Captains Fanning Hall Goheen, and Robinson will hold themselves in readiness to march under the immediate command of Col Moore in fifteen minutes. The men belonging to the above named companies who are now on guard will report themselves to their respective commanders forth with.

By order

Stephen F. Austin  
Com. in Chief.

David B Macomb  
Asst Adj and Inspr. Genl

Head Quarters, Camp Sevolo Octr. 19, 1835

To the Council of Safety etc

S. Felipe,

The Army will take up the line of march from this point tomorrow morning and move toward Bejar as far as the Salado which is within five miles of the town.

There it will take a secure position to await further reinforcements and to effect other important objects of observation on the movements of the enemy and of annoyance to their scouting parties etc. It is now well ascertained that the people of the town are

well affected to our cause and will probably be ready, when occasion offers, to render us essential aid.

The army is in high spirits and eager to advance, but are at the same time not disposed to act precipitately or rashly.

It is confidently expected that we shall be able to act conclusively within a very few days.

S F Austin  
Com. in chief

Warren D C Hall  
Adj't and Insp. Genl.

P. S Since the taking of Labahia the enemy has been busily engaged in fortifying S Antonio, barricading the streets, placing cannon on the top of the church cutting down trees, and in every way exerting themselves to make a vigorous defense.

The Committee are required to furnish every facility to Doctr. Hoxby in the discharge of his duty by pressing horses wagons and whatever else may be necessary for the object in view.

S. F. Austin  
Comr. in chief

By order  
Warren D C. Hall  
Adj't and Insp. Genl.

Head Quarters,  
Camp Sevolo Octr. 19, 1835

Doctr. Asa Hoxby is hereby detailed and ordered to return to the Colony for the purpose of taking measures to bring on to the Army with all possible dispatch the Cannon and amunition that it is believed may be now on the way, and as much more of the latter for Cannon as can be possibly procured. He is required to accelerate their progress by all the means in his power and to effect this object, he is authorized to hire or press horses waggons and whatever else may be necessary.

S F Austin  
Comr. in chief

By order  
Warren D C Hall  
Adj't. and Insp. Genl

Head Quarters Camp Sevolo Octr 18, 1835

At a Council of War held at this point consisting of Genl S F. Austin Commander in chief, Col Warren D C Hall Adjutant and

*Texas Historical Association Quarterly.*

Inspector Genl. Asst. Adj. Genl. D B. Macomb Colo. John H. Moore, Lieut. Colo. Burleson, Majr Wm H. Wharton, Judge Advocate Majr Alexr. Somervill Captn Fanning, Captn. Coleman, Captn. I Hall Capt Goheen, Capt. Alley Captn. R. Jones, Captn. Robison Lieut. Arrington.

The object of the Call of a Council of War being explained by the Commander in chief to be to submit in the first place to the Decision of the Court the propriety of a further halt at this point, to wait for reinforcements that are expected to join the Army within a few days, so as to Secure a greater force for future operations:

The Question being put by the Commander in chief whether the halt till the reinforcements come up, should be made, the same was decided unanimously in the affirmative.

It was then proposed by the Commander in chief to hold a Communication with the Commandant at Bejar Genl Martin P. de Cos, stating to him the grounds upon which the people of Texas have taken up arms at the present moment and the terms upon which they are willing to lay them down and the following communication being read and submitted, it was adopted as fit and proper to be made, by sending in a flag, after the receipt of suitable guarantees for its security.

S. F. Austin

Head Quarters Camp Sivolo Octr. 19, 1835

At a Council of war held here, consisting of Genl S F Austin Commander in chief, Colo. Warren D. C. Hall Adjutant Genl. Wm H Jaek Brigade Inspector, Colo. D B McComb Asst. Adj. Genl. Colo. John H. Moore Lieut. Colo. Burleson, Majr Wm H Wharton, Judge Advocate, Majr. Alexr. Somerville Captn. Fanning, Captn. I Hall Capt Goheen, Captn. Ebberly, Capt. Coleman, Captn. Robison, Captn. Martin, Captn. Alley and Lieut. Travis.

On the proposition of the Com. in chief, to rescind the resolution of yesterday, for a further halt at this point, for reasons resulting from information received last evening—the information being communicated to the Council and being received as satisfactory in support of the proposition, it was carried unanimously, and the resolution accordingly reseinded, leaving it diseretionary with the

Com in chief to march the army from this point with as much promptness as he may deem expedient.

S F Austin.

Head Quarters on the Salado

20th Octr. 1835

To all the Volunteers on the road,

The army took up this position early this morning. The enemies outposts retired before our spies and advance without loss on either side. This position is within less than five miles of Bejar. The enemies out posts are in sight on the top of the hill between this and Bejar. The reinforcements are specially ordered to push on by forced Marches—on this side of the Cívolo they ought to march in companies of not less than ten or fifteen. It is particularly enjoined on all the Volunteers who arrive at Gonzales to furnish a guard for the beeves that Mr Kent or Mr. Fuqua are bringing on.

S F. Austin

Comr in chief

By order

Warren D C Hall

Adj't Genl.

Head Quaters Camp Celado

21st Octr. 1835

To The Commandant of Goliad

You will deliver to Lieut. Randon twenty packs flour in your possession, or which can be had from the public stores, and in the event of there not being a sufficient quantity in the public stores you will procure it from individuals. You will also deliver to him two packs of Sugar and Coffee and seven kegs of powder if to be had and if that quantity can not be procured as much as can.

Head Quaters

Camp Espada 27th Octr, 1835

General Orders

The guard will be detailed and ordered to parade evry morning at nine o'clock.

The commandant of each company is positively ordered to turn out the officers and non commd officers and men detailed from their respective companies and have them marched to the place

where the guard parades precisely at nine o'clock A. M. and report them to [the] Adjutant.

The adjutant of the regiment is positively ordered to parade the guard eall the roll and deliver them to the officer of the day precisely at 9 o'clock A. M. He will then report to the adjt genl receive the countersign and instruction He will then post the guard accompanied by the officer of the day. He will then dismiss the guard.<sup>1</sup>

Head Quaters Camp Celado

21st. Octr. 1835

To the Commandant of Goliad

The operations against Bexar will prevent any movements of the enemy against Goliad. You will therefore furnish any [an] ample and strong detachment to Lieut. Randon to convey [convoy(?)] the provisions etc under his charge. You will also send one or both of the cannon that are mounted for field serviee together with a sufficiency of ammunition. You will procure mules horses or oxen to bring the cannon. It is considered that twenty men besides the citizens, will be amply suffieient to retain possession of that place, that all the balance of that garrison can join the army before Bexar.<sup>2</sup> This will be your authority to press wagons oxen mules horses or whatever may be necessary to effect the object of this order and of the other of this date relative to Flour and other articles cmbraced in it to be delivered to Lieut. Randon.

Head Quarters Camp Salado

To the Commandant at Goliad,

Octr 22, 1835

You will with as little delay as possible despatch to this point one hundred barrels of flour six boxes of sugar—six sacks of Coffee—2 barrels of wine and one of Rum or brandy and seven kegs of powder, and 300 lbs. tobacco, and for this purpose you will Contraet for Carts waggons oxen mules horses or whatever else may be necessary to transport the aforementioned articles to this place.

<sup>1</sup>This paragraph was written twice in slightly different form and deleted before it finally took that in which it is given here.

<sup>2</sup>Opposite this sentence in the margin is written the word "Canceled."

You will give instructions to the persons charged with the duty of transporting them to follow the Bejar road, up as far as the Salado. But a guard will be dispatched from here which will probably meet them at a point much lower down to give them suitable protection. Care shall be taken to have the guard far enough on the way in time. They will of course come on till they meet the guard.

By order

S F. Austin.

Warren D C Hall

Adj. Genl

P S. I had omitted the article of salt. Send a good supply of that as there is not now enough in Camp to last for 3 days.

Head Quarters Camp Salado 22d Octr, 1835

To Capt. P Demit

Dr Sir

I recd yours of 17th Inst last night. I am much pleased with your exertions to send us on supplies of which we are greatly in want. The flour etc you dispatched has not yet arrived, being stopped at the Cevolo by the difficulty of crossing; but it will soon be brought up by mules that have been sent down this morning.

You will receive an order by this express to send us on still larger supplies, which I beg you will use every exertion in your power to execute for I assure you the men here are beginning to suffer greatly for the want of bread etc etc I approve of your suggestion in regard to keeping possession of the Fort at Goliad, and you will receive this as an order to that effect. I have every confidence in the patience of the volunteers in remaining under your command; to retain the important advantage already gained by the taking La Bahia. In every point of view the retention of that place is necessary to us an[d] I trust it will be maintained by the joint efforts of yourself and those under your command. If you receive further information of an authentic character in regard to the landing of troops at Copeno—despatch an express immediately to Head Quarters that measures may be taken to meet the contingency.

Respectfully

By order

S F Austin

Warren D C Hall

Adjt. Genl

Head Quarters Camp Salado

22d Octr. 1835

To Col James Bowie

You will proceed with Capt. Fannins Division to the missions of San Juan Espardo [Espada] an[d] San Jose and examine the state and situation of those places. <sup>1</sup>The quantity of corn and other provisions, the disposition of the inhabitants to the cause we are defending where the Caballado is and all other information of an interesting or important nature. Also endeavour to procure a number of cart loads of corn and beans to be brought here without delay. It is important to keep possession of one of the missions as it will secure supplies of provisions and also protect the La Bahia road. You and Capt. Fannin will however use your discretion as to retaining possession at this time.

Send down to the Ranches and gather what information you can

By order

S. F. Austin

W D C Hall

Adj't. Insptr. Genl

Head Quarters Camp Salado

Octr 22, '35

The first Division of the first Batallion, under the command of James Bowie, is ordered to proceed forth with to the Missions of San Juan Espada and San Jose, for the purpose of gaining information in regard to the present condition of those places—the supplies of corn there—the disposition of the inhabitants and other purposes as expressed in the instructions given to the commander of the detachment—with discretion to keep possession of one of the missions if deemed expedient.

S. F. Austin.

Head Quarters Camp Salado

Octr 23, 1835

To Capt'n. Dimit

Commandant of Goliad,

D Juan Seguin is appointed to raise a Company of volunteers of native Mexicans in defence of the Constitution and Federal Sys-

<sup>1</sup>What follows, though written as a separate sentence, is syntactically a part of that which precedes.

tem. He will need arms and amunition—you will furnish him with what he calls for of both so far as the stock on hand will permit.

S F Austin etc

By order

Warren D C Hall  
Adj't Genl.

Head Quarters Camp Salado

Octr 23d, 1835

To Col. John H Moore,

You will announce the appointment of Doctr. Pollard as surgeon of the Regiment and Doctr. Richardson as surgeon of the Staff

S. F. Austin

By order

Warren D C Hall  
Adj't. Genl.

Postscript of 23d to letter to Capt'n. Demit dated

Octr 22

Octr 23

Your Communications of 19 and 20th. have been received and contents duly noted.

The operations against Bejar will prevent the enemy from making any attack on Goliad, and the fall of Bejar will close the Campaign. Capt'n. Alleys Company has principally joined the army and I understand from the report of those who have arrived that others will join today, so that it will be impossible to order that Company back to Goliad. You will therefore retain the force you have at that place and keep possession. Some more men can be drawn from the Colorado and Bay Prairie in case of emergency.

I have given authority to D Juan Seguin to contract for pack mules to bring up salt, Flour etc. from Goliad. He will write to you on the subject. Send two packs of salt. I have appointed Juan Seguin a Capt'n. of the Federal Army and he will raise a Company of Mexicans. Inform your men, of this that he may be respected as such and as a devoted friend of the Constitution.

S F. Austin

Head Quaters Camp Sebolo

23 Octr. 1835.

The commander in chief announes to the army information of the most encouraging nature from the Interior—That the cause of the constitution and the Federal system is there gaining new strength, daily,—that Genl. Alvarez a warm Federalist has lately gained two imporant victories over the troops of the Dictator—Santa Anna, and has been joined by two other Generals of distinction, Montenegro and Grozman—That the troops at Saltillo and San Luis which had been destined and were actually on the march for Texas had been ordered back on aecount of troubles behind them—

He further announces that D. Juan Seguin the Mexican who eame to camp last night with his followers and left this morning has given the most flattering account of the good disposition of the citizens generally in Bexar and its neighborhood. Their friendship to the cause we are defending and their willingness to serve us. He has appointed Mr Seguin a Captn. in the army vesting him with authority to raise a company of Mexican Volunteers to cooperate with us. They will be of essential service in many respects—The Commander in Chief deems it his duty to anounee also a vague rumor he has receeived, that troops to the number of 300 were on the march from Matamoras and other parts destined for the garrison at the Nueces and the recapture of La Bahia. But this rumor is by no means to be credited as there is no sufficient authority to support it.

The troops from the Nachogdoches Department are confidently expected to join us within a few days. As soon as they arrive the force here will be deemed competent for further and more important operations. At all events the time cannot be long before the valour and patriotism of the Freemen of Texas will have an opportunity to display themselves upon the heads of Military despots and the enemies of Freedom. In the mean time the commander in chief exhorts his countryment to be patient and firm in the discharge of their duty enduring, as Freemen have always been known to do evry privation for the sake of the saered cause they are defending.—

Headquarters Camp Salado  
Ejercito federal de Texas<sup>1</sup>

Octr 24, 1835

<sup>2</sup>V. esta plenamente autorizado pa. contratar con los vecinos ó dueños de Ranchos pa. cien fanegas de mais y dies de frijoles ó chicharos pa. este ejercito, al precio corriente, entregados en el campamento del ejercito, en la inteligencia que se pagara en dinero, ó se dara libranzas contra Orleans y que ademas de la fe publica, del pueblo de los departamentos de Brazos y Nacogdoches se comprometen los principales capitalistas de Texas quienes estan ahora en este ejercito pa. el fiel y debido pajo del importe del mais, y de todo lo demas que se compra de los vecinos.

Al Senor D Juan N. Seguin

S F. Austin

By order Warren D C Hall

Adj Genl.

Head Quarters Octr. 23, '35

Camp Salado

<sup>3</sup>El acreditado patriota D Juan Seguin esta nombrado Capi-

<sup>1</sup>In the original these words are placed so as to indicate that the army is addressed, but they are evidently intended rather as part of the date.

<sup>2</sup>Translation.

Federal Army of Texas.  
Headquarters, Camp Salado,  
October 24, 1835.

You are fully authorized to contract with the inhabitants or owners of ranches for one hundred *fanegas* [about two hundred and sixty-seven bushels] of corn and ten of beans or peas for this army, at the current price, delivered in the encampment of the army, with the understanding that payment will be made in money, or that bills of exchange on [New] Orleans will be given, and that in addition to the public faith of the people of the departments of Brazos and Nacogdoches the principal capitalists of Texas, who are now in this army, are pledged for the faithful and due payment of the value of the corn and of all else that is bought from the inhabitants.

S. F. Austin.

To Señor D. Juan N. Seguin.

By order.

Warren D. C. Hall,

Adj. Genl.

<sup>3</sup>Translation.

Head Quarters,  
Camp Salado,  
Oct. 23, '35.

The trusty patriot D. Juan Seguin is appointed captain in the federal army of Texas, and as such is fully authorized to raise a company of

tan del ejercito federal de Texas, y como tal esta plenamente autorizado para levantar una compania de patriotas pa. obrar en contra de los Centralistas y militares y en defensa de la Constitucion de 1824 y el sistema federal

S F. Austin

By order Warren D C Hall  
Adj Gen.

[ ( ) Ejercito federal )

<sup>1</sup>El Capitan D Juan Seguin esta encargado de mandar hasta diez mulas de carga a Goliad pa. traer recursos de harina sal y otras cosas que he pedido del comandante de aquel puesto, y de contratar con los dueños de los mulas á precio corriente que sera fielmente, pagado

S. F. Austin

By Order  
Warren D C Hall  
Adj Gen

Head Quarters Oct 24 35  
Camp Salado.

To James Bowie Esq and Capt. Fannin,

Your communications of 22 and 23 have been received and are very satisfactory. The Adjutant General visits you today and will give you instructions as to your movements. D. Juan Seguin came to Head Quarters day before yesterday and left here yesterday morning—I have appointed him a Capt. of the Federal army to raise a company from the Ranches and Missions.

S. F. Austin

patriots to operate against the Centralists and military in defense of the constitution of 1824 and the federal system.

S. F. Austin.

By order  
Warren D. C. Hall,  
Adj. Gen.

<sup>1</sup>*Translation.*

Federal Army.

Captain D. Juan Seguin is charged with sending as many as ten pack mules to Goliad to bring supplies of flour, salt, and other things which I have asked of the commandant of that post and with contracting with the owners of the mules at the current price, which will be faithfully paid.

S. F. Austin.

By order.  
Warren D. C. Hall,  
Adj. Gen.

Head Quaters Camp Salado

Octr. 24th 1835

To the Council of Safety

S. Felipe

Gentlemen

On this day I have commenced the investment of San Antonio and feel sanguine in my expectations of reducing the place within a few days if the expected reinforcements arrive but not other wise. You will therefore immediately perceive the urgent necessity there is for hurrying out Volunteers, who ought to come on with all possible speed without waiting or delaying for any cause whatever. Evry day since we have been here there has been more or less skirmishing between our advanced parties and those of the Enemy. In evry instance the enemy has retreated; upon several occasions with some damage. In a skirmish day before yesterday they had one or two wounded, one mortally, and in one of this morn they had some 4 or 5 killed and many wounded.

It is ascertained beyond doubt that the Inhabitants about here and Sant Antonio are favourable to our cause—Juan Seguin with a few men came to camp 2 days ago to offer their services and I have appointed him a Capt. to raise a company of Mexican Volunteers who are to join the Army as soon as possible.

The great object of this communication is to urge the necessity of the Volunteers coming on as fast as possible without delaying or waiting for any thing.

Should the troops from Nachogdoches meet this express they will send a runner ahead to inform me when they will get up.

Signed

S. F. Austin

Head Quarters Camp Salado, Oct 23 1835

To Captn. Demit

Comandt at Goliad,

I have recd yours of 21st. I am happy to have it in my power to relieve your anxiety on the subject of an attack from Bejar. I have information of the most undoubted character in regard to the troops that have arrived lately or can arrive soon at that point. I Know that the whole now there inclusive of old and new troops cannot exceed 650 men. The only reinforcement that has lately

arrived is 30 men under Capt. Barragan, who reached Bexar last night. There is not the least reason to expect any more in time, to oppose our movements. It is my intention in a day or two to commence such operations on the town as totally to shut in the whole force now there. The consequence will be at least certainly that no detachment can leave for Labahia. You therefore may feel perfectly secure from this side. I have no doubt, by investing the place closely on all sides, as I intend to do shortly, it will be obliged to surrender for want of provisions. Scarce a day has passed since our reaching this point without more or less skirmishing between advanced parties from both sides, which in every instance have resulted in the retreat of the enemy without any loss on our part. It is believed that many of them have been killed. We have taken a prisoner with his horse and accoutrements. The enemy acknowledge the loss of one man shot in the eye and an officer wounded. The missions are all in our possession, and the communication with Goliad cut off. The Inhabitants generally are favorable to our cause and from present appearances, there is every probability of reducing the place within 7 or 8 days. I informed you by express that left today that D. Juan Seguin had been here and that I had appointed him Capt. of a Company of Volunteer Mexicans to be raised by himself. Under all these circumstances I repeat my conviction that you need have no apprehension from this quarter. I nevertheless recommend and order the continuance of your exertions and Vigilance with the force under your command to place the fortress you hold in the best state of defense, that is possible and I positively order that no man shall leave his post, under you, without your permission under the penalty of being reported and published as a Deserter.

P S. Oct 24. This morning within a mile of this place, a skirmish took place, between an advanced party of ours and one of the enemy which resulted in their retreat with a loss it is supposed of 8 or 10 Killed and some wounded, no loss on our side.

S F. Austin

Head Quarters, Camp Salado,  
Oct. 24, 1835

(Confidential.)

To the Council of Safety etc

S. Felipe,

I recd. on yesterday your private Communication of 16th inst. I confess I feel great delicacy in taking any measure in regard to the suspected, it may be guilty individual referred to (J A W). In the first place as he lives and conducts his operations, what ever they may be without the limits of the Department from which I have derived all my powers I should be reluctant to stretch my authority so far as to reach him. Besides altho the statements in regard to his imputed conduct, have no doubt come from the most respectable Sources yet perhaps they are not sufficiently clear and conclusive, to warrant a proceeding against him at the present moment so serious and responsible as an arrest. Even if I had the power I should be loth to exercise it as at present advised. Particularly as I am unable to think that the man, let his disaffection be what it may, can in opposition to the universal sentiment prevailing through the whole country in favor of our proceedings do any essential harm to the cause.

You will of course see that his conduct is narrowly watched and I can only say in the event that sufficient proof [of] his guilt can be procured, that I will not scruple a moment to go any length in my power to have him immediately arrested and properly disposed of.

Head Quarters Camp Salado Oct 24, /35

To James Bowie Esq, and Capt. Fannin

Gent[lemen],

I received yours of this evening by Col. Hall who arrived since dark I have ordered a reinforcement of fifty men to joint you to night and the men are now out trying to get up their horses. But it is uncertain whether they will all succeed; as many of the number however as can get ready will set off as soon as possible to night.

I am sorry to inform you that it is impossible to raise here the ready money you want to purchase supplies. I send you how-

ever the joint obligation of myself and many others which I have no doubt will be received by the mayor domo of the Missions, in the room of money in hand. You giving him a certificate or receipt for every thing you get. In the event this arrangement will not satisfy him there is no resource left but to follow the Law of necessity, and take what you want, taking care however to present an exact account of every thing which you will present to the Adjt. as a Voucher which he may hereafter use.

S F Austin

By order,  
Warren D C Hall  
Adjt Genl.

Head Quarters Camp Salado Octr 25 1835

Dr. Asa Hoxey is hereby released from the order to attend in person to bringing out the Cannon etc and he is authorized to appoint another in his place so that he can attend the General Consultation of which he is a member

S F. Austin  
Comr. in chief

Camp Selado 26th October 1835

A company of horse will be organized by Col Moore to be formed by those who have double barrel shot guns and pistols

Signed S F Austin

To Col John H Moore

Commr. in Chief.

By Order  
W D C Hall  
Adjutant and Insptr. Genl

Camp Selado Octr 26 1835

The troops who are coming on will turn off the road at the Sivolo and march to the Mission of Espada below Bexar. Orders have been given to blaze out a way for this purpose—a guard has been detailed at Civolo, to direct those who come on. They Should leave the Civolo in bodies and organized and keep their horses secure at night, and a strict guard. The officer will send on an Express, when he gets near the Missions to inform me of the approach of any troops. The Nacogdoches troops are ordered to fur-

nish a guard for the Waggons that are coming on, and protect them from the Civolo, and should those troops have passed, any others on the road are ordered to do the same

S. F. Austin.

Head Quarters Mission Espada

Octr. 27, 1835

Lieut. Travis is hereby authorized to raise a volunteer Company of Cavalry of not less than fifty or more than Eighty men—each man to be armed with a double barrell gun or Yager and brace of pistols. Without the Consent of the Capt. not more than one tenth of his Company shall be permitted to volunteer in the proposed corps

S F Austin

By order

Warren D C Hall

Adj't Genl

Head Quarters Oct 28 '35

The Army is now in presence of the enemy—prompt Obedience to Orders and strict discipline will soon effect the great objects of the Campaign, but without them nothing but disgrace and ruin will be the result. It is therefore expressly ordered that any Officer who disobeys orders, shall be immediately arrested and suspended from his Command, until a Court Martial decides his case. The Colonel of the Regiment will Circulate this order without delay to every officer and Company in his Regiment.

S. F. Austin

By order

Warren D. C. Hall

Adj't Genl.

General Orders

Head Quaters 27th Oct 1835

<sup>1</sup>The guard will be detailed and ordered to parade evry morning at nine o'clock. The Commandant of each company is positively

<sup>1</sup>This order is the last written on the sheets of smaller size. Underneath it is penciled the following note, apparently in the hand of Colonel Guy M. Bryan, who was long the possessor of the Austin Papers: "Several sheets have been mutilated and separated in the class of this manuscript order book."

ordered to turn out the Officers, non Commissioned Officers and men detailed from their respective Companies and have them marched to the place where the guard parades precisely at nine O'clock in the morning, and report them to the Adjutant.

The Adjutant of the Regiment is positively ordered to parade the guard call the roll and deliver them to the officer of the day precisely at nine O'clock in the morning.

He and the officers of the day will then report to the Adjutant General, receive the countersign and instructions

He will then post the guard accompanied by the officers of the day.

He will then dismiss the old guard.

S. F. Austin

By order

Warren D. C. Hall

Adjt. and Inspct Genl

(Copy.<sup>1</sup>)

Head Quarters

Mission Espada

October 27th, 1835.

Colonel James Bowie,

Volunteer Aid:

You will proceed with the first division of Captain Fannin's company and others attached to that division and select the best and most secure position that can be had on the river, as near Bejar as practicable to encamp the army tonight, keeping in view in the selection of this position pasturage and the security of the horses, and the army from night attacks of the enemy.

You will also reconnoiter, so far as time and circumstances will permit, the situation of the outskirts of the town, and the approaches to it, whether the houses have been destroyed on the outside, so as to leave every approach exposed to the raking of cannon.

You will make your report with *as little delay as possible*, SO AS TO GIVE TIME TO THE ARMY TO MARCH AND TAKE UP ITS POSITION

<sup>1</sup>This order is copied in the Order Book in pencil.

BEFORE NIGHT. Should you be attacked by a large force send an express *immediately* with the particulars.

S. F. Austin

By order

P W Grayson,  
Aid-de-camp

Orderly Book Continued.

(Substantially a correct copy.<sup>1</sup>)

Head Quarters Mission Concepcion,  
1½ miles from Bexar Oct 28, 1835

To the President of the Consultation of Texas,

I have the honor to inform you that the enemy to the number of about 300 Cavalry, and 100 infantry as nearly as can be ascertained with two pieces of Cannon at Sunrise this morning attacked a Detachment of the Army (under the Command of Col. Bowie and Capt. Fannin) composed of ninety men who were posted at this place, and after a warm engagement of 3 hours were repulsed with the loss of one piece of Cannon a Six pounder, and about 30 muskets 16 men left dead on the field and from the best accounts nearly as many more that were carried off.—The number of wounded we can only conjecture, with the exception of two that remained on the field.

It is with great regret I have to say that on our side we had one man Richd. Andrews of Mina dangerously wounded, I fear mortally. But we have sustained no other loss except a few horses. The main body of the Army came up in about 30 minutes after the enemy had retired.

A more circumstantial account of this Action, which has resulted so gloriously to the Federal Army and more particularly to the individuals immediately engaged, will be given, so soon as it can be made out.

The overwhelming superiority of force and the brilliancy of the victory gained over them speak for themselves in terms too expressive to require for me any further eulogy. I must urge the

<sup>1</sup>This, together with the postscript appended to the letter, suggests that the original was lost before it was copied into the Order Book, and that it had to be reproduced from memory.

necessity there is for sending on as speedily [as possible], additional reinforcements in order to bring the campaign to a close without delay, which otherwise may be protracted and tedious, for the reason that Bexar is strongly fortified, well supplied with Cannon, and defended by a force much superior to ours. I have just learned that the Cavalry of the enemy was commanded by Col. Ugartechea and the infantry by Col. D. Marion Cos a brother of the Genl. D. Martin Perfecto [Cos].

P. S. If it is possible procure a good supply of balls for the Cannon. (Note a request for 2 or 3000 \$ ready cash, language not recollected.)

Head Quarters above Bexar

Nov. 4

<sup>1</sup>Tho. J. Rusk is appointed Aide de camp in place of P. W. Grayson, untill the return of said Grayson, who has been sent to San Felipe on public business—also James Bowie is appointed Adjut. Genl untill the return of the Adjut. Genl. W. D. C. Hall, who has been dispatched to San Felipe on public business.

S. F. Austin.

Nov. 6.

This day James Bowie resigned his appointment as acting Adjut. Genl and Francis Johnson was appointed in his place.

S. F. Austin

Head Quaters 6th Nov 1835

To Capt. Brisco.

Information has just been received that reinforcements are expected by the Enemy from the Rio Grand and Laredo roads. Also that the soldiers go out night and day towards the West and bring in Grass and beeves for the supply of the Enemy in the fortification. Also that a mail from the Rio Grand ought to arrive some time to night or to-morrow. You will therefore proceed with all possible dispatch for the West of Bexar on the Leona as far as the Madina approaching as near Bexar as you think proper for the purpose of obtaining information as to reinforcements, intercepting regular Mails or Expresses—watching for the money that

<sup>1</sup>A. D. S.

is still expected (according to information just received) which is still expected from Matamoras preventing beef, cattle, or other supplies from entering Bexar and harr[a]ssing the enemy in evry in any [*sic*] way possible. You will remain out to night and until tomorrow night should you perceive any important information can be expected thereby taking care to prevent the enemy taking in Grass or other supplies during the night.

S F Austin  
Commr in Chief

Head Quarters

Concepcion November 9th 1835

To Cap. J W. Fannin,

Information has been received from various channels—that a large number of packs with supplies of flour and other articles for the enemy in Bexar, escorted by fifty or sixty men who are also bringing on seventy or eighty convicts as recruits for the besieged, are on the road from Laredo.

It is of the greatest importance to the service that these supplies should be taken and the party destroyed or dispersed who are bringing them on, so as to prevent their reaching the enemy.

You will therefore proceed as speedily as possible with not less than one hundred nor more than 150 men with the best guides you can procure, in the two encampments, in the direction of the Laredo road to intercept the said convoy.

Your detachment will be composed of as many men of your own company as have horses able to perform the trip; of Volunteers from the Nacogdoches battallion and by a detail from Col. Burlison's command above town.

In the discharge of this duty much must be left to your own discretion. According to the information the convoy ought to reach the Atascosa, distant about thirty miles from here, to night, at or before reaching said creek it will leave the road probably on the north side and travel principally in the night through the woods and bye paths. This will render it indispensably necessary for you to keep out spies in every direction so as to find the trail and examine every road and bye way for which purpose it will be important to establish a stationed camp at some concealed place on the Atascosa so that your spies may know where to find you.

This however you will regulate according to your own judgment and circumstances.

The greatest dispatch and rapidity of movement is necessary to succeed in this matter. You will therefore loose no time.

You will have the enclosed directions delivered to the inhabitants on the Medina and Atascosa prohibiting them from taking any beeves or any other supplies to Bexar or having any communication with that place.

Travis was to have stayed at Salinas rancho on Atascosa last night. You will inquire for him and incorporate his party with yours. Since writing the above I have additional information that the guard of the Convoy is 200, and the Convicts, 300, your force will therefore consist of 159 men.

S. F. Austin

Head Quarters 10th Nov 1835

It is ordered that when a guard is detailed no one shall leave his post on any service or pretext whatever without leave in writing from Head Quarters.

It is further ordered that the officer of the day and of the guard shall on no pretext leave their posts without orders.

It is also ordered that no one leave the camp without written permission and the centinels must be particularly instructed to prevent any one passing the lines without such written permission.

Any one who shall be found off his post or asleep while on his post as a centinel shall be forthwith arrested and tried by a court martial.

Any person who shall interfere with corn brought into camp until it is divided out by the Quarter Master shall be arrested and punished as a court martial shall direct.

All horses mules or any other property brought into camp shall be delivered immediately to the Quarter Master and any person appropriating horses or any other property to his own use shall be arrested and punished as a Court Martial shall direct.

This order shall be read to every Captain and all Officers are charged to see it executed.

By order

F. W. Johnson

Adjt and Inspect. Genl

S F Austin

Comr in Chief

Head Quarters Concepcion Novr. 11, 1835

<sup>1</sup>To Capt. W. B. Travis, I [have] just been informed by Our faithfull Harvey Birch of your success in taking a cavallarda from the enemy of about 300 head. Your messenger informs me that these horses are all very poor, being the refuse horses that were dispatched from Bexar some time since for Laredo, this being the case the horses will be useless to us here, they will be a burden and all be lost. You will therefore drive them to the neighborhood of Seguin's Ranch, and make an arrangement with him to take care of them by employing men for that purpose. You will also leave a few of your men of confidence with them. This arrangement must however be left pritty much to your discretion, as it is uncertain whether Seguin will undertake to keep the cavallarda or can procure men to mind them. You will therefore make the best arrangement you can to secure the horses, and have them kept in good pasture where they will recruit.

I have to thank you, and express my approbation of your conduct and that of your men in this affair. It has been creditable to yourselves and usefull to the service.

You will report as speedily as possible what disposition is made of the Cavallarda, and return to Head Quarters with as little delay as possible, as I wish to employ you on other important service of an active nature.

You will bring in to headquarters as many of the horses as are fit for active service—say twenty or thirty at least—that is if they are fit for service. I need four to retain for expresses, and one good one for my staff.

Yours respectfully

S. F. Austin

[ ( ) Confidential. ]

Head Quarters  
Concepcion, Nov. 11

<sup>2</sup>To Capt. Travis, 1835

Yesterday I dispatched Capt Fannin to cut off the reinforcement of 500 men—(300 are convicts tied)—and a quantity of

<sup>1</sup>A. L. S.

<sup>2</sup>A. L. S.

flour that from accounts are now at or on this side of the Nueces. They will according to the information leave the road at or near the Rio Frio and go north to the hills and come in above the Rio Grande Road. It is however possible they may take the lower route, cross the river below the Medina and try to get in in the night by going up the Salado. Every point must be watched. This reinforcement must be cut off. Fannins force is 150 men—all picked. He will inquire for you at Salinas Ranch. I wish you if possible, to communicate with Fannin and inform him that I recd. information last night and this morning corroborating all the accounts previously received before his departure, and that the reinforcements and Convoy are daily expected. One hundred of the enemies cavalry were sent out this morning to the Leon. They are sent out there every day for grass. This seems to confirm the opinion that the Convoy are expected from that quarter, but still they may come in below.

Yours respectfully,

S. F. Austin

Nov. 11 1835

Head Quarters Concepcion

<sup>1</sup>William Scott is hereby appointed forage and wagon master—it is his especial duty to keep the army or the division of it he may be attached to well supplied with corn and grass or fodder—so far as practicable—also to see that the drivers take good care of their oxen and feed them well and keep them properly secured, so that they do not stray away and are always ready when needed. He will apply to the Adj. Genl. for the necessary guards

S. F. Austin

Nov 17—This day Scott resigned—and his duties were assigned to the Quarter Master.

[General order]

For as much as the interests of the Country the success of the Campaign and the Safety and Honor of the Army require that order and discipline should be observed as far as it is possible to do so.

<sup>1</sup>A. D. S.

It is ordered that no one pass the guard lines at any time without written permission from the Commander in Chief.

It is also ordered that each company in camp be paraded at the Sound of the trumpet morning and evening, the roll called and the number present reported to the proper officer.

The Commander in Chief has no higher ambition than the interests of the Country and the Safety and honor of the Army and expects every officer in the line to use his influence and utmost exertions to preserve order and regularity and to prevent shooting without leave.

Head Quarters—Novr. 12th 1835

S. F. Austin.

<sup>1</sup>Don Salvador Floris

Marcha V. con su, partida á buscar la partida del Cap. Fannin que debe estar en Atascosa ó Medina. En el rancho de Salinas ó algun otro rancho debe V. tener noticias de Fannin.

El Objeto de este expedicion es espiar si es cierto q. viene res-fuerzos ó convoy para el enemigo. Tambien quemara V. todo el pais desde el otro lado de las Nueces hasta Medina sobre los caminos de Laredo y rio grande.

En el caso de tomar Cavallos publico del enemigo pueda V. guardar los de los mejores pa. cada uno de su partida, como propiedad de ellos ademas de los qe se necesitan para el servicio. El Cap. Fannin dará á V. diez hombres pa. juntarse con su partida.

Canton en Concepcion 14 de Noviembre, 1835

Estevan F. Austin.

<sup>1</sup>*Translation.*

Don Salvador Flores:

March with your detachment to seek the detachment of Captain Fannin, which ought to be on [the] Atascosa or [the] Medina. At the ranch of Salinas or some other ranch you ought to have news of Fannin.

The object of this expedition is to discover whether it is certain that reinforcements or convoy[s] are coming to the enemy. You will also burn off the whole country from the other side of the Nueces to the Medina on the roads from Laredo and [the] Rio Grande.

In case of taking public horses from the enemy you can keep two of the best for each man of your detachment as his private property, besides those which are needed for the service. Captain Fannin will give you ten men to be joined with your detachment.

Stephen F. Austin.

Concepción neighborhood,  
November 14, 1885.

Head Quarters—before Bexar

Nov. 14, 1835.

<sup>1</sup>I have the satisfaction to inform you that since my last some important advantages have been gained over the enemy. Cap Travis has taken 300 head of horses that were sent out of Bexar to Laredo. They are poor horses and were taken about 40 miles from here.

The enemy is closely shut up in Bexar and more and more discouraged every day. All we need is perseverance and reinforcements to keep up the army. I exhort the convention to hurry on reinforcements with all possible despatch, and the campaign will soon end.

There is very little prospect that the enemy will get any aid from the interior.

S. F. Austin.

To the Consultation  
of Texas.

<sup>2</sup>On the 12th instant Col. Edward Burlison who commands the Camp at the mill station above Bexar, came to head quarters at the Mission of Concepcion below Bexar, accompanied by W. H. Wharton Esqr. who represented to the Commander in Chief that they had been sent down by the upper division for the express purpose of requesting in the name and on behalf of the officers and men of that division, that the two divisions of the army should be united at the same place, either above or below, and that if this was not done, the dissatisfaction would be so great, that a large number, even whole companies would leave and go home as they did not consider the force sufficient to be divided or to invest Bexar all round.

In consequence of this representation from the upper division, and after consulting with the principal officers of the lower division the commander in chief ordered that the two divisions unite above Bexar, as that is the most eligible point to procure supplies and harass the enemy, and the provisions be moved up tomorrow and

<sup>1</sup>A. L. S.

<sup>2</sup>Written by Austin. Both the signatures at the end are apparently autographs.

the division as soon as practicable after the heavy baggage is removed.

E. Burleson Colo Comadant

S. F. Austin

Head Quarters

Concepcion

Nov. 14, 1835.

Head Quarters Nov 15th 1835

At Concepcion

To Col Burleson

Night before last Col Ugartachear left Bexar with one hundred and fifty men to meet [an] expected Convoy on the Rio Grande road. This Convoy must be intercepted. I have determined to dispatch the Adjutant Genl with two hundred men tonight. You will detail one hundred and twenty from your division and eighty will be detailed from this to make up the two hundred. The detachment from your division will be at the dam as early in the afternoon as practicable to unite at that place with the other. They will draw rations for three days at least also direct the Qt. Master to send to the dam rations for the eighty men of this division who are to go.

This movement must be very prompt and not a moment must be lost. Col. Johnson has orders to make all the arrangements and lose no time.

S. F. Austin

Head Quarters 15th Nov 1835

Mill Station above Bexar

To Col Edwd. Burleson<sup>1</sup>

You will take command of a detachment to consist of from one hundred to one hundred and thirty men which is destined to march to the Leon and Madina In order that you may have a full idea of the objects of this expedition I give you the following information which has been received—

It is known positively that Col Ugartachea with a force of Cavalry of from one hundred to two hundred men for the accounts

<sup>1</sup>L. S.

vary as to number and it is probable he has not over one hundred and fifty left Bexar last night or the night before.

The reports as to his destination are two, one is that he went the expected reinforcements, the other is that he has gone to try to recover the cavyard taken by Travis and to intercept Capt Fannin. This latter report is the most probable and the one to which I give the most credit. You will consequently march with all possible dispatch to the Madina and send spies to all the crossings of the Rio Grande and Laredo roads and particularly to Paras' Ranch and also to Rodarigues Ranch and should you hear any certain intelligence that Ugartachea has passed on in search of Fannin or Travis, you will use evry possible exertion to intercept him and cut his party to pieces and to afford immediate aid to Fannin or Travis in your power. The detachment of seventy men that was ordered out the day Fannin started met with a For[a]ging party of the enemy and turned back which unfortunately prevented their junction with Fannin which has left the force of the latter too weak for his exposed situation. You will therefore permit nothing to turn you back until you have made evry exertion to hear of Fannin or Travis and to afford them aid should they need it; if however you meet with a forageing or any other party of the enemy defeat them if in your power to do so, but do not permit this to stop you from going on to attend to the main objects of this expedition, which are to intercept reinforcements if any are coming on and to aid Fannin and Travis and cut off Ugartachea. I rely fully on the zeal patriotism and bravery of the officers and men composing your detachment for the most prompt and efficacious exécution of the objects of this expedition. Your companions in arms under Fannin and Travis may be in imminent danger I wish you to fly to their assistance. Reinforcements may be coming on to cut them off [which] would decide the campaign. Glory and duty impell you to action and your country will reward your services.

S. F. Austin.

Nine Oclock, P. M. I have the satisfaction to inform you that Capt. Travis has this moment arrived without accident having secured the Cavyard by sending it beyond the Guadaloupe. He heard nothing of the enemy. Capt. Fannin proceeded on the Laredo road intending to go as far as Rio Frio. As there is no

doubt from various sources of information that Ugartachea went out, the probability of intercepting or hearing of him at some point on the Madina is very great.

I think it doubtful whether the forageing party will be sent to the Leon tomorrow owing to the whole army being united so near to that place. You can however make an effort to find them and cut them off should they be there. The absence of Ugartachea's party will probably prevent the enemy from sending out reinforcements. A party however will be ordered in the morning in that direction to prevent it should it be attempted.

In an expedition of the description you are charged with a great deal must necessarily be left to your discretion you will therefore use it according to your best judgment and to circumstances. Should you obtain any *certain* and *positive* information of importance forward an express to me with it. You will return as soon as may be consistent with the objects of the expedition.

S. F. Austin<sup>1</sup>

<sup>2</sup>10 O'clock P. M.

I have this moment recd. a message from a well known and very confidential friend who sent it by the Mexican Badilla from Nacogdoches, who has just returned from Medina. The message is that no reinforcements are on this side of the Rio Grande and that none can possibly be on in less than ten days or two weeks, and doubtfull whether they will come at all. I send you Badilla and another Mexican as guides. The first will inform you who sent the message. I do **not** wish his name mentioned. This being the case Ugartachea's object is to intercept the cavallarda and Fannin and perhaps you can hear of him on [the] Medina. I have given you all the information on the subject I have recd. The only thing certain is that Ugartachea is out some where, and the probability is he went after Fannin and Travis.

S. F. Austin<sup>1</sup>

Send to the rancho on [the] Leon and make inquiries [but] touch nothing there, they are friends. Peter is there. Also enquire at Navarros ranch on the upper Rio Grande road beyond

<sup>1</sup>Autograph. The last two sentences above the signature are also in Austin's hand.

<sup>2</sup>The two postscripts that follow are written and signed by Austin.

[the] Medina. All the reports except this one brought by Badilla say that the reinforcements *are* near.

S. F. Austin.

#### Head Quarters

16th Novr 1835

In consequence of Capt. Scott having been appointed Forage and Waggon Master <sup>1</sup>Duncan was elect[ed] Capt of the Staff Guard at an election held by said company this day.

#### General Orders<sup>2</sup>

Head Quarters. Mill Station  
above Bexar 16th Novr 1835

The Captain or commandant of each company is particularly and positively ordered to prevent any of the men of their respective companies from shooting in the lines or out of them without permission and to send to the guard fire any person who violates this order, and also to prevent gambling or any noisy or disorderly conduct in their companies in compliance with the general orders on this subject.

The said captains or commandants are also ordered to direct their men to tie up and secure their horses evry night as information has been given that small parties have been organized in Bexar to go out on foot evry night and steal them. Should the men lose their horses after receiving this caution it will be their own faults

It is positively prohibited that any person kill a beef except by special order of the Quarter Master.

By order

S. F. Austin

F. W. Johnson

Adjt. and Inspet. Gen.

<sup>1</sup>The original has a blank space before this name, left for subsequent insertion of the initials, but never filled.

<sup>2</sup>D. S.

General Orders<sup>1</sup>

Head Quarters Mill Station  
above Bexar  
16th Novr 1835

The public service and the welfare of evry individual in the army requires that all our resources and especially the corn should be economized and saved as much as possible. It is therefore ordered that the corn shall be gathered and hawled into camp and regularly issued in rations by the Quater Master until the corn can be hawled in. The captains of each company will detail a sufficient number of men from their respective Companies to bring in corn under the direction of the Quater Master who will issue it to the companies who bring it in in rations of not more than one peck per horse.

The Captains will take special care that their men do not feed on the ground which produces great waste, but that they feed on a blanket or skin, or in a small bag hung below the horses mouth. It is particularly enjoined on all the officers to attend especially to this order and to prevent all waste or lavish use of corn—other ways our stock will soon be exausted. The men which the Captains of companies are ordered to detail for the purpose of getting corn, will report themselves to the Quarter master evry day at six oclock in the morning

S. F. Austin

Head Quarters above Bexar  
Nov. 17 1835

To Patrick C. Jack Quarter Master,<sup>2</sup>

You will immediately take charge of all the wagons and oxen—ascertain what drivers are employed on wages and at what price and by whom employed—employ other drivers of well known fidelity on wages, if neccessary and see that they take proper care of the oxen and do their duty. You will procced immediately to have the corn gathered and hauled in and prevent all waste and see that it is regularly issued in rations agreeably to the genl. order of yesterday. You will at once perceive the great impor-

<sup>1</sup>D. S.

<sup>2</sup>A. L. S.

tance of this measure and that all waste of corn or of beef be carefully guarded against and prevented. The genl. order of yesterday positively prohibits any one from killing a beef without special order from the Quarter master. You will see that this order is attended to, and also that no more beeves are killed than are needed dayly for use, and that there is no waste. You will apply to the adjt. Genl. in writing for the details of men, needed to gather corn, or for other purposes. I rely on your zeal and aetivity to discharge your duty promptly and dilligently.

The men who are detailed by the eaptains of companies to bring in corn untill it can be hauled will go to the fields on the east side of the river, and will not touch any of thecorn on the west side.

S. F. Austin

Copy

Camp above Bexar Nov 17th 1835

To Genl S F Austin Commander  
in chief of the Army of Texas

Having arrived at this place on yesterday with nineteen men, I beg leave hereby to report myself and eompany to you and to be considered as attaaehed permanently to your Army.

Enclosed is a list of the names of the members of my Company

Very Respeeetfully etc

Capt. D. Garner

Wm. H Green  
John Willis  
Michael Green  
Jaeob Garner  
Wm Ashworth  
Uriah Harris  
John P Wallis  
John Dulin  
M. Hattin

Patin Blan  
John Choat  
Henry Garms  
John Haines  
George Ivens  
Charles Cronia  
Joseph Richey  
Solomon Cole

The above is a correct Copy of the original this day filed by me

Wm. T. Austin

Aid de Camp

Head Quarters

17th Novr 1835

<sup>1</sup>On the 14th of Novr. two deserters came in, one of cavalry and one of infantry to the camp at concepcion, and on the 15 and 16 one artillery man and two cavalry deserted to the mill station above town. They report that desertions are frequent, and that the soldiers are getting more and more discouraged every day—that the fortifications are very strong and well arranged—that Col Ugartechea left Bexar in the night of the 14 with 100 cavalry, supposed by some to recover the cavallarda taken by Travis. Others said his object was to join the expected reinforcements and convoy, and that he took 100 muskets with him on packs. The only thing in which all the reports agree is that he did go out on the night of the 14th with upwards of 100 men.

Since the 14, no parties of the enemy have been seen beyond the reach of the cannon on the walls. Scouts from our army went round Bexar every day. On the 16 at night Capt. Travis returned to camp having dispatched the captured cavallarda to Gonzales under the charge of John R. Foster—he brought in six horses and 4 prisoners—the horses were sold at auction by the Quarter master.

Head Quarters above Bexar

Nov, 18, 1835

To Cap. Felipe Dimmit<sup>2</sup>

On receipt of this you will deliver to Capt. Geo. M. Collinsworth the command of that fort and town. I regret to say that I am compelled to adopt this measure, owing to complaints made by Govr. Viesca and also by the Acting Alcalde of that place and other sources. These complaints show that great harshness has been used towards the inhabitants of Goliad. This conduct is the reverse of what I had expected and had ordered and is well calculated to injure the cause we are engaged in

Col. Gonzales did not come here, as I am informed owing to the reception Gov. Viesca and himself met with at Goliad. This

<sup>1</sup>In Stephen F. Austin's hand.

<sup>2</sup>A. L. S.

officer would have been very usefull here, for there is but little doubt he could have drawn nearly all the cavalry out of Bexar.

God and Liberty—

S. F Austin

Head Quarters

above Bexar Nov. 18, 1835

To Cap. Geo. M Collinsworth<sup>1</sup>

I have this day issued the following order to Capt. P. Dimmit (here the order) In compliance with this order you will on receipt of this take command of Goliad, Send for the citizens and Alcalde and inform them if they have been illtreated it was contrary to my orders.

I wish all the troops that can be spared from there to march to this place. In fact I do not think it important to retain a garrison there at present and the place might be left in charge of Mr. Powers and the civil authority or some other person of your confidence. God and Liberty

S. F. Austin

<sup>2</sup>He recibido el oficio de V. quejando de la conducta de D. Felipe Dimit. En consecuencia de lo ql. me ha dicho v. y el sor Viesca y otras personas, he mandado al Sor Dimitt entregar el mando al Sor Gorge Collinsworth, ordenando á este de obrar de acuerdo con la autoridad civil y los vecinos que han pronunciado en favor de la constitucion.

Dios y Libertad. Campo arriva de Bexar

Novr. 18, 1835.

E. F. A.

D. Roberto Galan

Alcalde interino de Goliad

<sup>1</sup>A. L. S.

<sup>2</sup>Written by Stephen F. Austin, and signed with the initials of the Spanish form of his name.

*Translation.*

I have received your official note complaining of the conduct of Mr. Philip Dimit. In consequence of what you and Sr. Viesca and other persons have said to me, I have ordered Mr. Dimit to turn over the command to Mr. George Collingsworth, enjoining it upon the latter to work in accord with the civil authority and the citizens who have pronounced in favor of the constitution.

God and Liberty. Camp above Bexar,

D. Roberto Galan,

Nov. 18, 1835.

Alcalde *ad interim* of Goliad.

E. F. A.

Head Quarters before Bexar Nov. 18, 1835, 12 o'clock.

To the President of the General consultation of Texas<sup>1</sup>

In my last I communicated the taking of a cavallarda of 300 horses by a detachment under the command of Cap. W. B. Travis. I now enclose his detailed report, and beg leave to recommend the services of Cap. Travis and the men who composed his party

On the 9th instant I recd information which was entitled to attention, that a reinforcement was on the road from Laredo to join Genl. Cos. I immediately ordered Capt. Fannin to take command of sixty five men from the encampment at the Mission of Concepcion, which were to have been joined by an equal number from the encampment above Bexar, and to proceed on the Laredo road to intercept the reported reinforcements. Cap Fannin marched promptly, but was not joined by the party from the upper camp, he however proceed[ed] on the Laredo road as far as rio frio. He returned last night. I enclose his official report. This officer has been very efficient and I recommend him as one of the officers of the regular army when it is organized.

On the 14th I recd. information that Col Ugartechea left Bexar the night before for Laredo supposed[ly] for the purpose of escorting the expected reinforcements—I immediately dispatched Col. Burlison with one hundred and thirty men in pursuit of him. I have since learned that Ugartechea had a man for a pilot who has lived with the Comanches and that he will make a great circuit by the hills on the head of [the] Medina, the prospect of Burlison's meeting him is therefore doubtfull. According to the best accounts the reinforcements have not yet left Laredo.

The enemy are shut up in the walls and fortifications of Bexar, parties of our volunteers go round the town daily, and within cannon shot. We have picked up about twenty of their six pound shot.

I have heretofore on various occasions submitted to a council of officers the Storming of the fortifications, and I am now decidedly in favor of that measure, so soon as the orleans Greys get up from Goliad; and Burlisons detachment returns. The works are stronger than they were but are greatly extended, and consequently the defending force is very much scattered. The troops inside are

also very much discouraged and begin to consider the contest as hopeless, cut off as they are from resources with a wilderness in the rear, which has been burnt nearly all the way to rio Grande on all the roads. Bexar must fall in a short time for want of resources without loss on our part and I think it could be Stormed successfully, tho at very considerable risk of loosing men.

My health which has been very bad from severe dysentery since the army left the Cibolo, has improved within the last few days very much.

The army has done all that could have been done under the circumstances, and without materials, and organization, which latter is purely voluntary. It deserves great credit for its sufferings and perseverance. I have every confidence that a short time will end this campaign.

Yours respectfully

S. F. Austin

Head Quarters above Bexar Nov. 18, 1835  
3 O'clock P. M.

<sup>1</sup>Since writing my communication of this date (12 o'clock) I recd. those of the convention informing the army of the provisional organization of an executive authority and council—and of my appointment to the U. S. as a commissioner, and requesting my personal services at San Felipe without delay. As I have just recd. this intelligence, I can only say that I am ready at all times to serve Texas in any station where it is considered I can be usefull. Some prudence will be necessary to keep this army together should I leave at once. I therefore cannot at this time say when I can be in San Felipe, but will give you the earliest possible information on this subject.

God Liberty and federation

S. F. Austin

To the provisional executive  
Govt of Texas

<sup>1</sup>A. L. S.

Head Quarters Nov. 18, 1835.

<sup>1</sup>I have recd. an official letter from Govr. Viesca informing me of his escape from prison, arrival in Texas, and bad reception he met with from Cap. Dimmit. The alcalde of Goliad and many others complain of Dimmit, and I have ordered him to deliver the command of Fort Goliad to Cap. Geo. M. Collingsworth.

I particularly recommend Gov. Viesca and Col. Gonzales to the attention of the executive Govt. I have invited the latter to this camp with his men. If he was here I have no doubt he could draw over two companies at least of cavalry now in Bexar as he once commanded them. It was his intention to have come here from Goliad but [he] was so confounded and discouraged by the reception he met with from Capt. Dimmit that he became discouraged and concluded to hault as I am informed at James Kerrs on Labacca until he heard from me. I have sent an express to him to that place inviting him to the camp. Should he have gone to San Felips I request that you will invite him to join this army

Yours Respectfully

S. F. Austin

To the Provisional  
Govt. of Texas.

General Orders

Head Quarters

21st Novr 1835

It is announced to the Army that it will be organized into divisions this day for the purpose of storming Bexar to-morrow morning. The captains of Companies will report to the Adjt. Genl by ten OClock today a roll of their respective companies stating those who have left yesterday or today

All communication with Bexar is prohibited

Signed

S F Austin

To S. F. Austin Comr in Chief

On receipt of your Genl. order of this date announcing that an attack on the fortifications of Bexar would be made by Storm

<sup>1</sup>In Stephen F. Austin's hand down to the sentence beginning "If he was here," etc. The remainder and the signature are copied.

tomorrow morning I have ascertained the disposition of the officers and men of my division and believe it to be my duty to report that a majority of them are opposed to the measure and are unwilling to attempt it and I concur in opinion with them

Philip A. Sublett<sup>1</sup>

Lt Col.

21 Nov 1835

Camp above Bexar

21st Novr 1835

To S F Austin

Comr. in Chief

On receipt of your general order of this date announcing that an attack on the fortifications would be made by storm to-morrow morning—I have ascertained that<sup>2</sup> the dispositions of the officers and men of my division and believe it to be my duty to report that a majority of them are opposed to the measure and are unwilling to attempt it.

Edward Burleson<sup>3</sup>

Colo Comadt

<sup>4</sup>Nov. 21, 1835. Col. Edward Burlison and Lieut. Col. Philip Soublet who are the immediate commanders of the two divisions of the army, having in the above reports made known to me that a majority of their respective divisions are opposed to storming Bexar and are unwilling to attempt it, and having ascertained from other sources that this majority is very large and that not more than 100 men can be obtained to go into the measure, necessity compels me to countermand the order for storming.

S. F. Austin

<sup>5</sup>The battery ordered to be erected within 300 yds of the walls of the fortifications will be commenced this night, under the command of Capt. Cheshire assisted by Dr. James Grant as engineer.

S. F. Austin

<sup>1</sup>Sublett's autograph.

<sup>2</sup>This word seems to have been inadvertently inserted.

<sup>3</sup>Burleson's autograph. The omission by Burleson of Sublett's closing statement, the reports being otherwise identical, is significant.

<sup>4</sup>A. D. S.

<sup>5</sup>A. D. S.

<sup>1</sup>Nov 22d, 1835. The company of volunteers from New Orleans commanded by Capt. Morris joined the Army on the 21st in the afternoon and the Capt. reported his company ready for duty, this day.

S. F. Austin

Head Quarters near Bexar,  
22d Novr. 1835

To the Provisional Govt<sup>2</sup>

Yesterday I issued an order to storm Bexar at day light this morning. Col. Burleson and Lieut. Col. Soublett, the immediate commanders of the two divisions of the army, reported to me that a majority of the officers and men of their divisions were opposed and unwilling to attempt it in consequence of which I was compelled to abandon the measure.

The seige may be prolonged some time The army is now out of Flour and the corn is exhausted I therefore have to request that at least one hundred barrels of Flour and a supply of beans and sea bread or hard biscuit be sent to this army without any delay.

S. F. Austin

Head Quarters Novr. 24, 1835.

<sup>3</sup>This day the army was paraded for the purpose of ascertaining how many volunteers would remain before Bexar as a permanent force under a comr. to be elected by themselves. The present comr. having been called by the convention to proceed immediately to San Felipe to go to the U. S. as a comr. On putting the question to the line four hundred and five men turned out and pledged themselves to remain, and a roll of them was ordered to be furnished by each Capt. which is filed.

On the same day an order was issued for an election for the com. the result of which was as follows—Edward Burleson was unanimously elected Comr. in Chief

F. W. Johnson appointed Adjt. and Inspt. Genl

Wm. T. Austin appointed Aid de Camp

<sup>1</sup>A. D. S.

<sup>2</sup>L. S.

<sup>3</sup>In Stephen F. Austin's hand, except the words "four hundred and five men," and what comes after the words "as follows."

<sup>1</sup>Col. Edward Burlison, Leut Col. Philip Soublett and Leut John York are appointed appraisers to appraise the horses and equipments of the volunteers who remain before Bexar

S. F. Austin

Novr 24, 1835.

<sup>2</sup>The above appraisers will enter into their duty immediately, and report to head Quarters to night a list of the appraisment.

S. F. Austin

<sup>3</sup>An election will be held in each Captains company for a commander of the volunteers who remain before Bexar. None but those who are pledged to remain will vote. The returns of the election will be made at head Quarters by 5 P. M Oclock this day  
Nov. 24, 1835.

Head Quarters of the federal

Army of Texas

Before Bexar Nov. 24, 1835.

<sup>4</sup>Since my last I have recd information which renders it necessary and highly important that fort Goliad should be retained and fortified as strongly as possible. You will therefore maintain your position with all the force you have and all you can collect. In the event of the army's raising the siege of this place a considerable portion of it will retire to that Goliad.<sup>5</sup> Col. James Bowie will proceed to that place in a few days

The convention have appointed me a commissioner to proceed to the U. S. and I am directed to go on my mission forthwith. In consequence of which I shall leave here to-morrow and hurry on to<sup>6</sup> the N. Orleans without any delay. Col. Ed. Burlison remains in command of the army and you will be subject to his orders.

By intercepted letters from Lipantliclan it appears that no

<sup>1</sup>A. D. S.

<sup>2</sup>This and the foregoing are evidently intended as a single order.

<sup>3</sup>In Stephen F. Austin's hand.

<sup>4</sup>A. D. S.

<sup>5</sup>The word "place" was written first, and then "Goliad" was written over it. The "that" was not marked out, as it should have been.

<sup>6</sup>In the original another "to" is written immediately after the word "hurry."

more troops had occupied that place, than were there before; that the Govt. in Mexico are organizing an army of 10,000 men to be commanded by Genl. Santana in person who is to be on in the Spring, and that efforts are making to send on reinforcements to this place.

Ys. respectfully

S. F. Austin

## REMINISCENCES OF RECONSTRUCTION IN TEXAS.

T. B. WHEELER.

## I.

*The Fall of the Davis Government.*

In January, 1874, when the Texas legislature assembled at Austin, a committee of its members was sent to Gov. E. J. Davis to inform him that it was ready to receive any communication which he wished to submit. He very promptly informed the committee that he did not wish to communicate with the legislature, because he did not regard it as a legal body.

The committee withdrew, and that night a portion of its members met at the office of the mayor of the city, and, after consultation, determined to install Richard Coke as governor,<sup>1</sup> and, if possible, get control of the state government. Coke took the oath of office; and next morning the legislature took possession of the upper part of the Capitol, Governor Davis and his followers holding possession of the lower part at the same time. Before noon of that day it was reported to the mayor that there was danger of a collision between the contending parties; whereupon City Marshal Minas Long was requested to summon a portion of the police force, to proceed at once to the Capitol and take possession of the stairs connecting the upper and lower stories, and, if possible, to preserve the peace by preventing the passage of men up or down the steps. The marshal and the police officers did their duty faithfully until they were relieved by the Travis Rifles, a local military company.

In the meantime, the Coke followers had organized, and it was agreed that Geo. B. Zimpelman, sheriff of the county, Henry E. McCulloch, acting temporary adjutant general under an appointment from Gov. Coke, and T. B. Wheeler, the mayor of Austin, should act as a committee and coöperate in the management of that party. On the evening of the same day, Major Russell, an officer on the staff of General Augur, who was in command of the De-

<sup>1</sup>Coke had been elected to the office in November, 1873.

partment of Texas, arrived in Austin and stated that he had been sent there by General Augur on a mission of observation. Major Russell said that President Grant had instructed General Augur that if there should be a collision between the contending parties and should be any bloodshed he (Augur) should take charge of the state government, and appoint a military governor.

As soon as the news brought by Major Russell spread, there was a concerted determination by the men at the head of the Coke party to use every available means—if necessary, to submit to insult, and even to risk their own lives—to prevent the calamity of having another military government in Texas. This determination dominated every act of the Coke leaders throughout that memorable contest. In pursuance of the policy of avoiding bloodshed, the mayor informed Governor Coke that there was a large lot of arms and ammunition in a storehouse on West Avenue; that there was no one in possession of said house; and that, if the governor would authorize it, the arms and ammunition would be removed at once to the city and placed where neither of the contending parties could get possession of them. Governor Coke said that he would see about it, and the matter was postponed until next morning.

During that evening and night there was an immense crowd of the Coke followers assembled in the upper part of the Capitol. Many of them were excited and made more than one determined effort to get to the Davis men in the lower story; and nothing but the persuasions of the cool-headed, conservative Coke men, aided by the determined stand taken by the gallant Travis Rifles and the police force, saved the Davis men from destruction. It is necessary to recite only one or two incidents to show the attitude and excitement of the crowd and to exhibit fully the determination of the Coke leaders to prevent a collision, although they could have overpowered the Davis men with no great danger. During the day the Coke followers had been permitted to go down the inside steps which led to the north of the building. After dark, the mayor and a friend of his, Joe Denton, who resided north of the Capitol, thinking they would still be permitted to go out this way, started down the steps. Before they had gone far they were ordered to halt. They continued to descend until they were told that if they came farther they would be killed. They then observed by the

dim light that it was Major Degress speaking, and that a white man and two negroes held guns leveled at them. The mayor insisted on going out that way, when Major Degress said, "Mayor, I have nothing against you; but I am ordered to let no person come down these steps tonight, and if you take another step these men will shoot you." The mayor replied, "Major Degress, you have the advantage of me now, but I will see you again," and then he and Denton went back up the steps. When the crowd heard and saw what had happened, they made a rush to go down the steps. The order was quickly given to the guard to keep them back. Excited voices came from the crowd, asking the mayor, "Didn't they say they would shoot you?" He replied, "It makes no difference what they said to me. Keep them back, keep them back." Hearing this, the crowd made another rush to go down, and were checked only by the use of guns and clubs in the hands of the Travis Rifles and police.

Another incident which occurred that night, and which came near bringing on a collision was when an armed squad of Davis followers advanced toward a cannon, which young Haralson, one of the Travis Rifles, was guarding. Haralson, who knew no fear, brought his gun down on them and ordered them to halt. They did so, and retreated at once to the Capitol.

As there was danger that the Davis men, whose situation was desperate, and who had doubtless heard of President Grant's order, would bring about a collision, and as it was an extremely cold night, it was determined to spike the cannon and take all the Coke guards up stairs. After the gun was effectively spiked and the Coke men withdrawn, a Davis guard was placed in charge of it, who tramped there in the cold until early next morning. Then Major Degress, who was a fine artillery officer, appeared with a squad of his men and with ammunition to load the gun, it is supposed, with the intention of turning it on the upper portion of the Capitol, for the purpose of compelling the Coke followers either to surrender or abandon the building. Degress had the snow cleaned off the gun and was preparing to load it, when he discovered that it was spiked. He and his squad seemed thoroughly disgusted, and retired to the basement of the Capitol, while the Coke men, who had been watching them, laughed and jeered.

That same morning General Steele, who had succeeded General McCulloch as adjutant general, went to the mayor and stated that he would send a squad of the Travis Rifles to take charge of the arsenal about which the mayor had spoken to Governor Coke the day before, and that the governor requested the mayor to go with the Rifles and to use all necessary means to prevent bloodshed.

The Travis Rifles were commanded by Lieutenant Albert Roberts, who had done gallant service as a boy in the Civil War, and who now holds a very important position under the United States Government. They proceeded at once to the arsenal on West Avenue. It was a long, low stone building running lengthwise with the street, and had very large doors and windows. There was a low picket fence between the building and the street. Lieutenant Roberts halted his men just outside the fence within a few steps of the building and faced them towards it. Just as he did this, there was a clash of arms in the building and guns were immediately seen pointing out of the doors and windows towards the company. The Rifles at once brought their guns to their shoulders pointing in the direction of the doors and windows. The mayor, who was near the head of the column, sprang forward, threw up his hands, called out "Don't fire," and asked Lieutenant Roberts to march his men away quickly and take them out of sight. The Rifles were rapidly marched away in the direction of town, leaving the mayor alone in front of the arsenal.

Mr. Hamp Cox, who was in command of the arsenal, met the mayor at the fence. The mayor demanded the surrender of the arsenal, when Cox informed him that he had been put there by Gov. Davis and could not surrender it. In the meantime, Lieutenant Roberts had returned to the mayor, and both insisted on the surrender of the arsenal, informing Cox that they could take it by force, but did not wish any bloodshed. They proposed to him that if he would surrender, they would take the arms and ammunition and place them where neither party could use them, and would give him a receipt in the name of the Coke government for them.

To this proposition Cox agreed, and the mayor began to write the receipt in a pocket memorandum, when a wild yell was heard and Captain Hill, a white man, leading twenty or thirty negroes, came running from the direction of the Capitol. Lieutenant Rob-

erts at once rejoined the Travis Rifles where they were in waiting. The mayor advanced some distance, meeting Captain Hill and the negroes, who had their guns presented in his direction. He threw up his hands and cried "Don't fire," then stood awaiting their approach. Hill rushed up to the mayor and seized him roughly by the shirt collar, saying, "I arrest you." The mayor demanded, "By whose authority?" Hill replied, "By the authority of Gov. Davis," and said to his men, "Come around him, boys; come around him, boys."

The negroes in the arsenal had rushed out and met the others just as Hill had arrested the mayor. They swung their guns over the mayor's head and said, "Yes, d—n you, you thought you had us, but we've got you. Hurrah, boys, hurrah!" They seemed as excited and wild as savages. Hill, who still had his hand in the mayor's collar, pulled him toward a small gate on the west side of the avenue, the negroes surrounding him and keeping up a regular pandemonium with their oaths and yells of exultation. The mayor, believing the Travis Rifles would try to rescue him and thereby bring about the dreaded collision, while Hill was pulling him in one direction, was watching for the company in the opposite direction, in which it had retired. He saw the Rifles come around the corner, ready to charge, and at once elevated his right hand as high as possible and energetically motioned them to retire. Although the negroes were thick around him, he kept his hand in motion until the Rifles had retreated.

Hill and his mob took the mayor into the enclosure, down a very steep hill, into a hollow, out of sight of the streets. The men were formed in double ranks and the mayor placed in front of them. As soon as it was somewhat quiet, the mayor said, "No doubt you think it very brave for thirty or forty armed men to arrest one unarmed citizen." Hill said, "Let's see if you are not armed," and began to search the mayor, who remarked, "Search to your heart's content. I am armed with nothing but a penknife and the majesty of the law." Addressing the negroes, he continued, "As mayor of Austin, I command you to disperse and not commit a breach of the peace. Coke has been elected governor of Texas by fifty thousand majority. The people are determined he shall be governor. Your great friend, General Grant, has refused to inter-

fere, because he knows the Coke people are right and that the Davis followers are wrong. You all know me; you know that I live in Austin, and that here is all I have. You live in Austin, and all you have is here. It is not to the interest of the whites and blacks of this city to be fighting each other. If the conflict is kept up, you are all liable to be killed. A few bad white men are misleading you, and when they get you into a fight with the white people, cowards as they are, they will run away and let the white people kill you. I again order you to disperse and go to your homes."

To the mayor's surprise, when he stopped talking at least half of the negroes stepped out of the ranks and said, "Nobody shan't hurt Mr. Wheeler, so dey shan't." He then said, "I am going to town for your good, for if I don't go you will all be killed." Hill stepped in front of the mayor and said, "You shall not go." The mayor replied, "As a free American citizen I have a right to go where I please if I am not interfering with the rights of some other person," and at the same time walked rapidly towards Hill, who began to back up the slope until he got to the gate of the arsenal enclosure. On reaching that, he said, "You can tell your people that we will hold this arsenal or die on the door sill." The mayor replied, "If you and your little crowd stay here one hour, you will all be dead men."

Two bad negroes had followed the mayor up the hill presenting their guns as if ready to fire at him. He told them several times to change the position of their guns and not to shoot. They did not shoot, but kept their guns in the threatening attitude. When the mayor and Hill reached the gate, Cox, who belonged to the same fraternity as the mayor and who had observed the conduct of the two negroes, placed himself as near the mayor as possible, following him entirely across the Avenue and until the negroes ceased their threatening demonstration.

The mayor ran rapidly toward town, meeting along the way armed men and turning them back. He soon heard the long roll, which was being beaten on Congress Avenue.<sup>1</sup> Just after he was arrested some person had ridden on horseback up this avenue crying out, "The negroes have the mayor." Thereupon the stores were

<sup>1</sup>The principal business street of Austin.

closed and the people assembled *en masse*, with such arms as they could secure, near the red brick building occupied by the Tobins as a drug store.<sup>1</sup> Major Mart Royston, who had been treasurer under the Throckmorton administration, was in command, and was trying to get order out of the confusion. As soon as the mayor arrived one of the men seized him and rushed him to the front of the crowd, saying, "Here he is, boys." Just then a long-haired, frontier-looking fellow said in a loud, drawling voice, "Come on, boys, let's go and take 'em; we've been fooling about it long enough."

The mayor stepped into better view of the crowd and answered in the same drawling voice, "Hold on, boys, let's talk about it before we go. I am safe and have not been hurt. Do not be excited about my arrest." A voice in the crowd asked, "What kind of a writ did they arrest you with?" The mayor placed his hand in his shirt collar and replied, "By a collar writ." At this the crowd laughed; and, taking advantage of their temporary good humor, the mayor recited the message which President Grant had sent to General Augur, and entreated them for their own security and happiness and for their love of Texas not to do anything that would afford an excuse for placing the State again under military government. He begged them to keep quiet, to do nothing rash, to go to their homes, and assured them that if they would do so the contest would end satisfactorily, the Coke administration would rule Texas, and they would again be a free and independent people.

Just as the mayor stopped speaking a note was handed to him from Judge Ireland, who was then a State senator, suggesting that the saloons be closed. The mayor at once sent requests to the saloons to close until 12 o'clock next day. No men ever responded to a request more promptly, and nothing did more to give quiet and peace than that note from Judge Ireland and the general compliance with his suggestion by the saloon men of Austin.

About this time Hill and his men were seen going in the direction of the Capitol. Gradually the crowd dispersed, going to their homes and places of business. Later in the day the arms and ammunition were taken from the arsenal and stored in a house in town by men led by Captain Dave Wilson, now of the Avenue

<sup>1</sup>About half a mile east of the arsenal building.

Hotel. Cox at first refused to surrender. Captain Wilson informed him that they did not wish to hurt him or any other person, but that they had come after the arms and were going to have them, whereupon Cox at length gave way. Just before night, quiet being restored, Governor Davis went out of the executive office and Governor Coke went in.

In the meantime, some person had filed a complaint against Hill and the negroes for an aggravated assault on the mayor. The returns of the election for comptroller and treasurer had been made to the governor and were then in the possession of Governor Davis. He refused to deliver those returns unless the complaint was dismissed. A committee from the Senate, headed by Lieutenant Governor Hubbard and one from the House, headed by the Honorable Guy M. Bryan, waited on the mayor to learn what he would do about it, stating that without those returns they could not declare who was elected treasurer and comptroller, and that without those officers the administration could not proceed, as they would have no money to pay expenses. The mayor saw Governor Coke about the matter, who gave him the same information, but said further that the mayor had been too greatly outraged for the governor to advise him to dismiss the cases. The mayor replied that he could not permit his personal feelings or the fact of his rough treatment to interfere with the inauguration of a free government for Texas, and he at once sent a note to Governor Davis saying that if he would send the returns by the bearer the cases against the negroes would be dismissed. The returns were sent, the treasurer and comptroller were at once installed, and the people were again permitted to enjoy the blessings of a free democratic government.

## II.

### *The "Bull Pen."*

During reconstruction, when the military headquarters were at Austin, there was constructed what was known as the "Bull Pen," in which persons arrested by the soldiers were confined.

This Bull Pen was located near the road leading from the city to where the dam was afterwards constructed. It was circular in form, from one hundred to one hundred and fifty feet in diameter,

with no covering over it. It had been constructed by placing logs twelve to fifteen feet long in the ground on their ends with a plank walk near the top on the outside, on which the guard walked to watch the prisoners. For these, small "A" tents were the only protection from the sun and rain. There was no floor to any part of it, and, unfortunately, it was located on a clayey, sticky soil. The first time I visited the Bull Pen I suppose there were from fifty to one hundred prisoners in it. There had been rain, and the mud and slush were shoe-mouth deep.

It was not necessary to file a complaint, or even charge a person with an offense, to have him placed in that most uncomfortable prison. One or two instances will be sufficient to give an idea of the tyranny and oppression which were exercised by the military in those trying days. A negro by the name of Simon Alexander came to Austin from Freestone County and informed General Reynolds that he had been whipped by some young white men of that county. General Reynolds sent a squad of soldiers to Freestone and arrested Judge McCracken, Dr. Gibbs, Messrs. Deming, Ross, Roark, and a number of the other most prominent citizens of that county, and brought them in a wagon, under guard, to Austin and placed them in the Bull Pen. I happened to meet them while visiting another prisoner; and, seeing by their appearance and conduct that they were first-class citizens, I asked them for what they had been imprisoned. They stated that they had never been informed of the charges, and requested me to see General Reynolds and learn, if possible, what was alleged against them. I immediately went to General Reynolds and asked him with what offense they were charged. He replied that there was no charge against them, that no complaint had been filed against them, but that they had been arrested and would be held as hostages until the young men who Alexander said had whipped him would come to Austin and surrender.

As some of the men were in delicate health, and their lives would be endangered by remaining in the Bull Pen, they were paroled and permitted to get rooms in the city on conditions imposed by General Reynolds that they would not leave the city, and that I would be personally responsible for them. They were kept in the city several weeks before the young men, Messrs. Oliver

and Davie, could be communicated with. In the meantime, arrangements were made with the commanding general that if Oliver and Davie would surrender he would not send them to the Bull Pen, but that they could remain in the city on the same conditions under which the other prisoners were held. Oliver and Davie appeared, and were taken before General Reynolds; when an order was issued discharging Judge McCracken and his associates, and Oliver and Davie were kept in Austin to be tried by a court martial.

A Mr. Fowler, who owned a large plantation on the opposite side of the river from Webberville, was arrested on some flimsy complaint made by a negro. Although he was over seventy years old and in feeble health, he was placed in the Bull Pen, where the exposure gave him pneumonia, and he was moved to the city and died in a very few days.

Much more could be written on this unpleasant subject; but these two instances will certainly be sufficient to show the oppression to which the people were subjected under the reconstruction *régime*, and to contrast therewith the blessings our people now enjoy under a free civil government.

## ELIZABETH BULLOCK HULING.

A TEXAS PIONEER.

ADELE B. LOOSCAN.

Elizabeth Huling was one of the pioneer women of Texas. The daughter of John Bullock and Mary Dooley, she was born in Bourbon county, Kentucky, on April 12, 1820. When she was six years old her mother died, and she was taken by her mother's brothers, Hardin and Ashbrook Dooley, to their home. When about twelve, she went on a visit to her mother's sister, the wife of Jesse Moppin, who was living at Paris, Kentucky. The aunt and uncle treated her with great kindness, and, as they were talking about going to Texas, asked if she would not like to go with them. Delighted with the idea, she assented without hesitation, and, in a short time they started on their long journey going down the Mississippi river to New Orleans, and thence, in 1833, to Nacitoches. Traveling by ox wagon from this point, they crossed the Sabine river at Gaines' Ferry, and settled near San Augustine. There they stayed at Mrs. Milton's boarding house, and made many acquaintances in the neighborhood, among them being Mrs. Hines, who lived near by, and Mrs. Hines's granddaughter, Mrs. Carter, whose home was at a greater distance; but, as she and Elizabeth were greatly attracted to each other, they spent many happy days together. It was during a delightful visit at Mrs. Carter's that Elizabeth received word of her Uncle Jesse Moppin's violent illness. Going immediately to his bedside, she helped to nurse him through the long suffering, which ended in his death.

Her aunt returned to Kentucky, but, having tasted the indefinable charm of life in a new country, she determined to remain in Texas and share the fate of her new friends, who were overjoyed at having this bright maiden of fifteen as a member of their households. Among them was X. B. Mudd, who, with his family, lived at the village of Zavala, in Jasper county, ten miles northwest of the old town of Jasper. Mr. Mudd was a Frenchman,

then holding the office of sheriff, under the Alcalde Almonte, and Elizabeth went to live with his family in the early part of 1835, participating with them in all the dangers and excitement of the revolution. Many years afterward she gave the following brief account of her recollection of the "Runaway Scrape": "In 1836 came the terrible panic caused by the invasion of Texas by Santa Anna. Most of the men were in the army. The women and children and the few men who were at home went fifty miles to the Sabine river, reaching a point called Salem. One of the refugees, Mrs. Dulaney, had four small children. On her pony she fastened a feather bed, and placing three of the children on it carried the fourth in her arms as she led the pony. Mrs. Donahue, another refugee, started from home in a wagon with a baby only nine days old. While she was camping one night there came up a terrific storm; the other women of the camp held blankets over the sick woman for her protection from the elements.

"The refugees had driven some stock cattle with them and some milch cows; the men split rails, of which they made pens to keep the cattle. This was at a place called Cow Creek Bend, on the Sabine River, near the Indian village of Biloxi. The Indians had deserted their village only a few days before, but the houses were too filthy for occupancy by white people. The refugees were in constant fear of the return of the Indians with hostile intentions, as it was known that the Mexicans were trying to incite them to warfare against the whites. The young people, however, being free from care, were never more happy, and regarded the whole affair as a holiday excursion."

It was while here that Miss Bullock formed the acquaintance of Philip Smith, who was cultivating some of the Indian lands at the village of Biloxi, and, before she had completed her seventeenth year, she became his wife.

In the fall of 1837 the Mudd family, accompanied by Philip Smith, his wife and child, moved back to the village of Zavala, where, within the year, the young wife suffered the double bereavement of the loss of husband and babe.

The years 1838 and 1839 witnessed a great influx of immigrants into Texas, and this portion of the Republic shared the general revival of prosperity in an eminent degree. There were many public

gatherings, barbecues, balls and other festivities. It was no uncommon thing for the women and girls to ride ten miles to a barbecue, and then dance until daylight. As General Houston was making a tour among all the Eastern settlements the citizens of Jasper resolved to give him such an enthusiastic reception as could be tendered only by loyal hearts and hands. There was a grand barbecue by day, patriotic speeches galore, and by night a ball in the courthouse. A moment of fluttering suspense among the assembled fair as the General entered the room, and then,—he invited Mrs. Elizabeth Smith to accompany him in the opening dance,—an honor always cherished with becoming modesty by the lady up to her latest days. The friendship then begun lasted through life.

On May 15, 1839, Elizabeth Bullock Smith became the wife of Thos. B. Huling, of Jasper county. They settled in the village of Zavala, where they lived for many years in prosperous circumstances.

During the Texas Revolution Thos. B. Huling transported ammunition and provisions for the army, using his keel boat in making trips to and from New Orleans for that purpose. He served in the Fifth Congress of the Republic of Texas, 1840-1841, representing the Jasper District.

The Huling home at Zavala was noted for its hospitality, where the hardy pioneer and the herald of the cross alike found a hearty welcome. In 1842 Mr. Huling and his wife joined the Methodist Episcopal church at the old Williams Chapel, in Jasper county. Fortune smiled upon them, and their home was blessed with the laugh of merry children; but the ever-widening tide of civilization bore them onward toward the setting sun, and, in 1855, they moved to the Lampasas country, settling on the east prong of the Sulphur Fork of the Lampasas river. There, surrounded by nature's own garden, they reared another home, where the buffalo roamed at will and the savage red men were wont to make their nocturnal visits, which boded ill to his white brothers and their possessions. But the native courage which inspired the orphan girl of fifteen to choose a pioneer life was now strengthened by Christian faith; and, upborne by the fortitude which belongs to women of heroic mould, she did not falter at danger. Mrs. Huling's frontier home was blessed by the many who shared its shelter,

and here her quiet, generous charity was dispensed, and her unostentatious life left its imprint upon the hearts of the people of her day. On November 2, 1865, she suffered the loss of her husband; then came the loss of property, the days of reconstruction and carpetbag rule, which required all the latent strength of character which distinguished her and brought forward a reserve fund of financial acumen and mental grasp hitherto unknown and undreamed of by those who knew her best. She was the mother of twelve children, one by her first marriage and eleven by the second, five of whom still live, with grandchildren and greatgrandchildren proudly to bear her name.

In 1871 Mrs. Huling moved to the flourishing city of Lampasas, where her strong Christian character illuminated and strengthened those around her. Her influence, always thrown on the side of truth, law and order, will long be felt in this last place of her abode, where she died March 8, 1906.

Her surviving children are all here in Texas. They are Mrs. Rebecca Huling Hill, of Lampasas; Mrs. Almonta Huling Abney, of Brownwood; W. M. Huling and Proctor H. Huling, of Lampasas, and M. B. Huling, of Toyah.

Mrs. Huling's devotion to Texas influenced her to unite with the Daughters of the Republic of Texas at their first annual meeting held at Lampasas, April 20-21, 1892. It was on this occasion that an interview was had which drew from her the few jottings on the "Runaway Scroape," now made a part of this sketch. Texas had no more worthy daughter, and the Daughters of the Republic of Texas no more devoted member.

## NOTES AND FRAGMENTS.

THE OLD G. H. & H. RAILROAD.—The Galveston, Houston and Henderson Railroad, as the original charter named it, was chartered in 1854. The line of road, as projected by the charter, called for a direct line as straight as the bird flies from Galveston to Henderson, in Anderson county; Henderson at that time being the county seat of Anderson county.

In December, 1835, the first installment of timber for the road, consisting of fourteen schooner loads, arrived at Galveston from Pensacola, Florida, and was rafted from Galveston to Virginia Point. When the last lot of timber had been grounded on the flats at Virginia Point, an easterly gale came on and swept it all away, scattering it over West Bay, and very little of it was recovered.

In 1856 the grading of the roadbed commenced at Virginia Point and was completed to Clear Creek. Here the graders had to stop; for, as a big embankment was required on the east side of the creek, they could not go any further with their spades and shovels. In order to complete this part of the work, the services of Messrs. Kyle and Terry, who were large planters on the Brazos, were called into requisition, and they, with some fifty or sixty of their plantation negroes, finished the grading. At that date the present well-known railroad scraper was not in use, and the large embankment was constructed by these negroes, first by plowing up the ground and then by carrying the dirt in improvised pans, which were borne on top of their heads, to the fill. In this way one of the best railroad embankments in the State was build for the G., H. & H. R. R., and it stands today a solid monument to their efforts.

Track laying was commenced at Virginia Point, in March, 1857, and twenty-five miles were completed by the latter part of May, the same year. The road was completed to Houston in 1858, at which time the first locomotive ever used on the road was received. It went by the name of the "Perseverance." Prior to the advent of this engine all the hauling on the newly laid tracks

was done by oxen and horses. The Perseverance was of the first pattern of locomotives used on railroads in the United States, and would be a great curiosity if on exhibition at the present day. Ned Williams was the first engineer that pulled the throttle on this engine. Some of the old timers who are alive today and whose memories are fresh say that the Perseverance was all right as an engine to go ahead, but would seldom back up, and in consequence it was always used for go-ahead work. The "Brazos" was the next engine received; it was quite an improvement on the old Perseverance, and the boys on the road felt very proud of it.

William Clawson was the first conductor, and John Shenhols the first baggage master. The Galveston Bay bridge was completed in 1859, and the first trains commenced running that year from Galveston to Houston. The rolling stock consisted of the two engines, Perseverance and Brazos, one flat car boarded up all around for passengers, and three or four flat cars for freight. Ned Williams was engineer on the Brazos and George Rand on the Perseverance. Hawley Pierson was the first fireman on this old-time locomotive. He is alive today, and during a period of forty-four years has been one of the most successful passenger engineers in Texas. For more than thirty-eight years he has been with the Southern Pacific.

The gauge of the road when first built was five feet six inches, but when Mr. Hoxie became president and general manager it was made a standard gauge.

The late James Converse, of Houston, Texas, was the chief engineer who located the line between Galveston and Houston. The late W. W. Gregory was the first freight agent at Galveston; A. H. Waltermann was the first superintendent, and Geo. B. Nichols the first master mechanic. R. H. Read was yardmaster and track foreman. A. F. James was the first president of the road, but when the Civil War commenced, in 1861, J. M. Brown succeeded James as president, and continued to serve in that capacity until the close of the war. In 1866 the road went into the hands of receivers, and Cowdry and James of New York were appointed.

The men who did the grading and laid the track were Irishmen. It was the custom at that time for the contractors to furnish their

grading hands and track layers with a certain number of drinks every day. The men called these drinks "jiggers," and every one who worked had an understanding with the contractors as to how many "jiggers" they were to receive every day in addition to their wages. A Mr. Burk had the first contract to grade the road; Kay and Gallagher were the sub-contractors, and afterwards W. W. Buell finished the contract for grading and track laying, which work was completed under R. H. Read as foreman.

The first conductors employed on the road were William Clawson, Henry Clark, Mr. Terry, Sy. Parker, Mr. Rogers, Harry Sears, and John H. Westcott. In 1861, and until the end of the war, one mixed passenger and freight train made the run to Houston; it took from two and a half to three and a half hours. The only stations on the road up to 1868 were Virginia Point, Highland Station, Dickinson, Clear Creek, Summit, and Harrisburg. During the war and for some time after the machine and repair shops were located at Harrisburg.

The first express company to commence business in Texas was inaugurated by Starrs Jones, and was called Jones's New Orleans and Texas Express. The first express messenger was George Colt, and his run was between Galveston and Houston. The main office was in Galveston, with a branch office in Houston. These were the only express offices in Texas from 1860 to the close of the war in 1865.

The baggage masters on the first railroads built in Texas were the most popular employes of the roads. In addition to their regular duties, they assisted the brakeman in making up trains and also acted as mail agents and did the shopping for all the ladies on the line of the road.

JOHN A. CAPLEN.

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THE DAVIS LETTER.—The letter of Major J. H. Davis published in the April QUARTERLY was obtained through the kindly services of Mrs. Sam D. Bennet, of Cuero. It covers four pages of a folio, with only five lines at the top and three at the bottom of the last page, leaving the intermediate space blank for the address. This is as follows:

Forward by	Mrs Pamela Davis
Capt Hagler	Morganfield
	Ky

## BOOK REVIEWS AND NOTICES.

A useful aid for students of the Mexican War of Independence is being published in the *Anales del Museo Nacional de México*. It is an alphabetical index to the materials contained in the *Colección de Documentos para la Historia de la Guerra de Independencia de Mexico, de 1808 á 1821*. Students would be grateful if some agency like the *Anales* would undertake the work of publishing indexes to a number of other standard books on Mexican history that were issued before the day when it came to be considered unpardonable to publish historical works without these helps.

H. E. B.

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*Memoirs, with Special Reference to Secession and the Civil War.* By John H. Reagan, LL. D. Edited by Walter Flavius McCaleb, Ph. D., with introduction by Professor George P. Garrison. (New York and Washington: The Neale Publishing Company. 1906. Pp. 351.)

Not only Texans, but students of American history everywhere have welcomed the appearance of these "Memoirs" of a life of nearly sixty years of distinguished public service. Judge Reagan was a man of remarkable abilities, and his opportunities for interesting experiences and for first-hand historical information of the period covered by his life had been greater than those of almost any of his surviving contemporaries.

The first fourth of the book is taken up with an account of the author's early struggles with poverty, his journey from Tennessee to Texas in 1839, at the age of twenty-one, and his experiences as surveyor, lawyer, legislator, and congressman in the new country. The greater part of the rest is devoted to matters relating to the Civil War. This is, perhaps, as it should be, for, though his services since that time have been many and important, the fact that he was the last surviving member of the cabinet of Jefferson Davis, and had been in close personal relations with all the promi-

ment Confederate leaders, most of whom he survived, invested what he had to say with more than ordinary interest and value.

The most noteworthy features of this part of the book are Judge Reagan's unswerving adherence to the principles of the political faith in which he was reared;—one can not consistently object to the insertion of a historical survey of the constitutional basis of the South's position,—his devotion to the memory of his chief, Jefferson Davis; and his able defense of the Confederate President on the one hand against those who charged him with cruelty or arbitrariness, and on the other those who, like Joseph E. Johnston or Alexander Stephens, have criticised the policies he pursued. To the Hampton Roads Conference he devotes particular attention and pretty clearly vindicates Davis from the charge of wantonly continuing the war. His account of the organization of the post-office department of the Confederacy is one of the most interesting chapters in the entire book, and describes in brief compass the remarkably successful accomplishment of one of the most difficult tasks of that sorely beset government. It was a work of which he could be justly proud, and one can not but sympathetically agree that "there is much in these reports" [of the department] "to suggest economy in the Postoffice Department of the United States." The account of the fall of Richmond and the flight of the Confederate government until the capture of Davis and his escort reflects admirably the gloom of that depressing period.

If there were no other monument to the statesmanlike foresight of Reagan, his famous Fort Warren letter, written from his prison cell in August, 1866, would be sufficient evidence of his ability, courage, and patriotism. No student of Reconstruction history can doubt that if his advice to Texas and the South to recognize at once the abolition of slavery, equality of civil rights for both races, and an equally qualified manhood suffrage had been followed, the worst of the evils of the radical *régime* in the South would have been averted and the race question presented to the succeeding generation in a simpler form. Though attacked and abused for this letter with all the bitterness of an excited and apprehensive people, the author of it lived to see its prediction sadly verified.

The forty years since the war are passed over very briefly. Reconstruction is disposed of in four or five pages, and the later

services of the author in Congress and as head of the Texas Railroad Commission are treated with a modest brevity. It is evident that his heart and his memory during the last days of his life were chiefly in the stirring scenes of the past.

When the subject matter of a book of this sort is so interesting, criticism of the form and style seem a piece of supererogation. Rugged and direct rather than smooth or easy, it is nevertheless clear, and leaves an impression of strength and sincerity of conviction. We may easily pardon the numerous digressions, many of them unchronological, because of the interesting anecdotes and sidelights on prominent characters therein contained. But as one lays down the book, there is a painful feeling that much has been sacrificed to brevity,—the body of the narrative comprises only two hundred and fifty-two pages, including many excerpts from letters and speeches,—and that the author for some reason has neglected to give or refrained from giving much valuable information of the sort that was available from no other source.

The last hundred pages of the book are devoted to a series of appendices, comprising reprints of the most important speeches and letters of Judge Reagan from 1861 to 1891. The editing seems to have been well done throughout, and the work is remarkably free from typographical errors.

C. W. R.

## AFFAIRS OF THE ASSOCIATION.

TREASURER'S REPORT, MARCH 1, 1906, TO MARCH 1, 1907.

*Receipts.*

Balance on hand at last report.....	\$1,217 86
By membership dues . . . . .	2,439 50
By sale of QUARTERLY.....	808 80
By advertising . . . . .	21 00
By sundries . . . . .	5 47
By donations . . . . .	171 50
Interest on note and deposits.....	50 00
	<hr/>
	\$4,714 13

*Expenditures.*

Von Boeckmann-Jones Company, printing and stationery.....	\$1,058 78
Luther E. Widen, commissions.....	1,362 70
Postage and box rent.....	143 62
Express charges . . . . .	20 30
Typewriter . . . . .	50 00
Office supplies . . . . .	49 80
Exchange on collections.....	17 85
Indexing Volume IX of QUARTERLY.....	10 00
Clerical help . . . . .	99 13
Rare numbers of the QUARTERLY.....	10 00
Arranging books and accessioning.....	15 15
Stenographic work and typewriting.....	34 69
Sundries . . . . .	54 47
Balance on hand.....	1,787 64
	<hr/>
	\$4,714 13

This is to certify that I have checked vouchers with above amounts and find same correct.

(Signed)

CHAS. B. WINN,

Approved:

Auditor.

W. J. BATTLE,

E. W. WINKLER,

Auditing Committee.

*Gifts and Exchanges.*

AMERICAN ANTHROPOLOGICAL ASSOCIATION.—“American Anthropologist,” as issued.

AMERICAN ANTIQUARIAN SOCIETY, Worcester, Mass.—Proceedings of the Society, as issued.

AMERICAN CATHOLIC HISTORICAL SOCIETY OF PHILADELPHIA.—Records of the Society, as issued.

AMERICAN HISTORICAL ASSOCIATION.—Publications of the Association, as issued.

ARKANSAS HISTORICAL ASSOCIATION, Fayetteville, Ark.—Publications of the Association, Vol. 1.

ARMSTRONG, GEO. B., JR., Chicago, Ill.—His “The True Railway Mail Service.”

ASSOCIATED PUBLISHERS OF AMERICAN RECORDS, New Haven, Conn.—The “Journal of American History,” as issued.

BAYARD, THOMAS F., Wilmington, Del.—“Remarks Vindicating the Late James A. Bayard.”

BELO, A. H. & Co., Dallas, Texas.—“The Dallas Morning News,” as issued.

BOSTON PUBLIC LIBRARY, Boston, Mass.—Monthly Bulletin, as issued; Fifty-fourth Annual Report; Annual List of New Books, 1905-1906.

BOYNTON, G. H., Hamilton, Texas.—“Indian Fights on Texas Frontier,” by E. L. Deaton.

BRANTLEY, R. A., Somerville, Texas.—His “Light of the World.”

BUNKER HILL MONUMENT ASSOCIATION, Boston, Mass.—Proceedings at the Annual Meeting, June 18, 1906.

CAMBRIDGE HISTORICAL SOCIETY, Cambridge, Mass.—Publications of the Society, as issued.

CARHART, DR. J. W., Austin, Texas.—Transactions of the State Medical Association for the years 1885-1895; Walker’s “Medical Notes”; forty-two miscellaneous medical journals.

CARNEGIE, ANDREW.—“James Wilson, Patriot, and The Wilson Doctrine,” by Lucien Hugh Alexander.

CHICAGO HISTORICAL SOCIETY, Chicago, Ill.—Publications of the Society, as issued.

- COLORADO STATE HISTORICAL AND NATURAL HISTORY SOCIETY, Denver, Colo.—Biennial Report of the Society, 1905-1906; "Colorado Volunteers in the Civil War," by W. C. Whitford, D. D.
- COLUMBIA HISTORICAL SOCIETY, Washington, D. C.—Records of the Society, Vol. 10.
- COLUMBIA UNIVERSITY, New York, N. Y.—"Political Science Quarterly," as issued; "The Quarterly," IX, 3; Teacher's College Announcement, 1906-1907.
- CONNECTICUT HISTORICAL SOCIETY, Hartford, Conn.—Publications of the Society, as issued.
- DAUGHTERS OF THE AMERICAN REVOLUTION, Washington, D. C.—"Lineage Book," as issued.
- DELAWARE HISTORICAL SOCIETY, Wilmington, Del.—Publications of the Society, as issued.
- DORAN, MRS. S. L., Hempstead, Texas.—"Life of Apushmataha," by Dr. Gideon Lincecum; "Autobiography of Gideon Lincecum"; "Choctaw Settlements in Mississippi," by Dr. Gideon Lincecum.
- DEUTSCHE HISTORISCHE GESELLSCHAFT FÜR DEN DISTRICT COLUMBIA.—Publications of the Society, as issued.
- DUBOSE, J. C., University, Ala.—Complete set of the "Gulf States Historical Magazine."
- ESSEX INSTITUTE, Salem, Mass.—The Historical Collections of the Institute, as issued.
- ETHNOLOGICAL SURVEY OF THE PHILIPPINE ISLANDS.—Reports of the Survey, as issued.
- FILSON CLUB, Louisville, Ky.—Publications of the Club, as issued.
- GARCIA, SENOR DOCTOR GENARO, Mexico, D. F.—His "Documentos para la Historia de Mexico," Nos. 10-13; "Porfirio Diaz."
- GORMAN, HENRIE C. L., Fort Worth, Texas.—"The Bohemian," as issued.
- GREGORY, HON. T. W., Austin, Texas.—His "Reconstruction and the Ku Klux Klan."
- GRIFFIN, MARTIN I. J., Philadelphia, Pa.—"American Catholic Historical Researches," as issued.
- GRUBBS, HON. V. W., Greenville, Texas.—His "Practical Prohibition."

- HARVARD UNIVERSITY, Cambridge, Mass.—The “Quarterly Journal of Economics,” as issued; “Papers of Peabody Museum of American Archæology and Ethnology,” as issued.
- HISTORICAL DEPARTMENT OF IOWA, Des Moines, Iowa.—“Annals of Iowa,” as issued.
- HISTORICAL SOCIETY OF NEW MEXICO, Santa Fé, N. M.—Publications of the Society, as issued.
- HISTORICAL SOCIETY OF PENNSYLVANIA, Philadelphia, Pa.—The “Pennsylvania Magazine of History and Biography,” as issued.
- ILLINOIS STATE HISTORICAL SOCIETY, Springfield, Ill.—Publications, as issued by the Library of the Society.
- HISTORICAL SOCIETY OF TRINITY COLLEGE, Durham, N. C.—Publications of the Society, as issued.
- IOWA STATE HISTORICAL SOCIETY, Iowa City, Iowa.—The “Iowa Journal of History and Politics,” as issued; “Robert Lucas,” by John C. Parish; “Executive Journal of Iowa, 1838-1841,” edited by Benjamin F. Shambaugh; a Brief History of the Society.
- JEWETT, REV. FRANK L., Austin, Texas.—“Lectures on Modern History,” by William Smyth, in two volumes. Cambridge: 1843.
- JOHNS HOPKINS UNIVERSITY LIBRARY, Baltimore, Md.—The “University Circular,” as issued; “University Studies in Historical and Political Science,” as issued.
- KANSAS STATE HISTORICAL SOCIETY, Topeka, Kansas.—Fifteenth Biennial Report of the Board of Directors.
- KENTUCKY STATE HISTORICAL SOCIETY, Frankfort, Ky.—Register of the Society, as issued.
- KUNGL. VITTERHETS HISTORIE OCH ANTIKVITETS AKADEMIEN, Stockholm, Sweden.—Publications, as issued.
- LIBRARY OF CONGRESS, Washington, D. C.—Check List of American Almanacs; Reports, as issued; Five pamphlets.
- LINDSLEY, JUDGE PHILIP, Dallas, Texas.—His “Humor of the Court Room.”
- LOEB, ISIDOR, Columbia, Mo.—His “The German Colonial Fiscal System.”
- LUMMIS, C. F., Los Angeles, Cal.—“Out West,” as issued.

MAINE HISTORICAL SOCIETY, Portland, Me.—Collections, Second Series, Vol. 1.

MARYLAND HISTORICAL SOCIETY, Baltimore, Md.—“Archives of Maryland,” XXVI, XXVII; “Maryland Historical Magazine,” as issued.

MICHIGAN STATE LIBRARY.—Seventh Annual Report of State Board of Library Commissioners.

MILLS, HON. W. W., Austin, Texas.—His “Forty Years at El Paso.”

MINNESOTA HISTORICAL SOCIETY, St. Paul, Minn.—Collections, Vol. X, Parts I and II, Vol. XI; Thirteenth Biennial Report.

MISSISSIPPI HISTORICAL SOCIETY, University, Miss.—Publications of the Society, as issued.

MISSOURI HISTORICAL SOCIETY, St. Louis, Mo.—Collections of the Society, as issued; two pamphlets.

MISSOURI STATE HISTORICAL SOCIETY, Columbia, Mo.—“Missouri Historical Review,” as issued.

MONTANA HISTORICAL SOCIETY, Helena, Mont.—“Contributions,” Vols. I, II, III, IV, V.

MUSEO NACIONAL DE MEXICO.—Publications of the Museum, as issued.

NEBRASKA STATE HISTORICAL SOCIETY, Lincoln, Nebraska.—“Nebraska Constitutional Conventions,” Vol. 1.

NEW ENGLAND HISTORIC GENEALOGICAL SOCIETY, Boston, Mass.—“Register” of the Society, as issued.

NEW JERSEY HISTORICAL SOCIETY, Newark, N. J.—Proceedings of the Society, as issued.

NEW YORK HISTORICAL SOCIETY, New York, N. Y.—Publications of the Society, as issued.

NEW YORK PUBLIC LIBRARY, New York, N. Y.—Bulletin of the Library, as issued.

NEW YORK STATE LIBRARY, Albany, N. Y.—“Public Papers of George Clinton, First Governor of New York,” Vol. VIII.

OHIO HISTORICAL AND PHILOSOPHICAL SOCIETY, Cincinnati, Ohio.—The Quarterly Publications of the Society, as issued.

OHIO STATE ARCHAEOLOGICAL AND HISTORICAL SOCIETY, Columbus, Ohio.—“Quarterly” of the Society, as issued.

OKLAHOMA HISTORICAL SOCIETY, Oklahoma City, Okla.—Publications of the Society, as issued.

"OLD NORTHWEST" GENEALOGICAL SOCIETY, Columbus, Ohio.—The Quarterly of the Society, as issued.

ONTARIO HISTORICAL SOCIETY, Toronto, Canada.—Publications of the Society, as issued.

OREGON HISTORICAL SOCIETY, Eugene, Ore.—Publications of the Society, as issued.

PUBLIC LIBRARY, MUSEUMS, AND NATIONAL GALLERY OF VICTORIA, Melbourne, Victoria.—Publications, as issued.

QUEBEC LITERARY AND HISTORICAL SOCIETY, Quebec, Canada.—Publications of the Society, as issued.

REAL ACADEMIA DE LA HISTORIA, Madrid.—Boletin of the Academy, as issued.

ROYAL HISTORICAL SOCIETY, London, England.—Transactions of the Society, as issued.

SMITH, MISS ABBIE N., Houston, Texas.—Her "Bobtail Dixie."

SMITHSONIAN INSTITUTION, BUREAU OF ETHNOLOGY, Washington, D. C.—Second, Third, Thirteenth, Twenty-third, Twenty-fourth Annual Reports; Bulletins of the Bureau, Thirty and Thirty-two.

SOUTH CAROLINA HISTORICAL SOCIETY, Charleston, S. C.—Publications of the Society, as issued.

SOUTH DAKOTA STATE HISTORICAL SOCIETY, Pierre, S. D.—Collections of the Society, as issued.

SOUTHERN CALIFORNIA HISTORICAL SOCIETY, Los Angeles, Cal.—Annual Publications of the Society, as issued.

SOUTHERN EDUCATIONAL REVIEW, Chattanooga, Tenn.—"Southern Educational Review," as issued.

SOUTHERN HISTORICAL SOCIETY, Richmond, Va.—Papers of the Society, as issued.

SOUTHERN HISTORY ASSOCIATION, Washington, D. C.—Publications of the Association, as issued.

SOUTHWESTERN TELEGRAPH AND TELEPHONE COMPANY, Dallas, Texas.—Directories of the Company in Texas, as issued.

STATSOEKONOMISKE FORENING, Kristiania, Norway.—Publications of the Society, as issued.

- TAYLOR, LAWRENCE S., Nacogdoches, Texas.—“A History of the Action of the Political and Civil Authorities and Citizens Relating to the Land Office at Nacogdoches Under the Jurisdiction of Charles S. Taylor.”
- TEMPLETON, FRANK, Houston, Texas.—His “Margaret Ballentine or the Fall of the Alamo.”
- TERRELL, CAPTAIN J. C., Fort Worth, Texas.—His “Reminiscences of the Early Days of Fort Worth.”
- TEXAS ACADEMY OF SCIENCE, Austin, Texas.—The Transactions of the Academy, as issued.
- TEXAS SCHOOL JOURNAL, Dallas, Texas.—Publication, as issued.
- TEXAS STOCKMAN AND FARMER, San Antonio, Texas.—Publication, as issued.
- TEXAS VETERAN ASSOCIATION.—Proceedings at their Thirty-third Annual Reunion held at Goliad, Texas.
- TORONTO PUBLIC LIBRARY, Toronto, Canada.—Report of the Ontario Bureau of Archives; Report of the Bureau of Mines; Annual Archaeological Report, 1905.
- TRINITY COLLEGE LIBRARY, Durham, N. C.—“The South Atlantic Quarterly,” as issued.
- TRUEHEART, H. M., Galveston, Texas.—“Republic of Texas,” by Anson Jones.
- UNITED STATES DEPARTMENT OF COMMERCE AND LABOR, Washington, D. C.—Publications of the Department, as issued.
- UNITED STATES WAR DEPARTMENT, Washington, D. C.—Reports and Bulletins of the Department, as issued.
- UNIVERSITY OF CALIFORNIA, Berkley, Cal.—Publications of the University, as issued.
- UNIVERSITY OF CHICAGO, Chicago, Ill.—“Circular of Information: The Graduate Schools.”
- UNIVERSITY OF CINCINNATI, Cincinnati, Ohio.—Publications of the University, as issued.
- UNIVERSITY OF COLORADO, Boulder, Colo.—Publications of the University, as issued.
- UNIVERSITY OF ILLINOIS, Urbana, Ill.—“Illinois Libraries,” by Katharine L. Sharp, B. L. S.
- UNIVERSITY OF IOWA, Iowa City, Iowa.—Bulletin of the University, as issued.

UNIVERSITY OF KANSAS, Lawrence, Kansas.—“Science Bulletin” of the University, as issued.

UNIVERSITY OF NEBRASKA LIBRARY, Lincoln, Neb.—“University Studies,” Vol. 1 and as issued; “University of Nebraska Calendar,” 1906-1907.

UNIVERSITY OF NORTH CAROLINA, Chapel Hill, N. C.—“James Sprunt Historical Monograph, No. 7.”

UNIVERSITY OF PENNSYLVANIA, Philadelphia, Pa.—Twenty-five Volumes of Publications; Bulletin of the University, as issued.

UNIVERSITY OF THE SOUTH, Sewanee, Tenn.—The “Sewanee Review,” as issued.

UNIVERSITY OF TENNESSEE, Knoxville, Tenn.—Publications of the University, as issued.

UNIVERSITY OF VERMONT, Burlington, Vt.—“The Centennial Anniversary, 1804-1904”; “Report of the Vermont State Geologist”; and “Vermont Legislative Directory, 1906.”

UNIVERSITY OF WISCONSIN.—Bulletin of the University, Vol. 1, No. 3.

VERMONT HISTORICAL SOCIETY, Montpelier, Vt.—Publications of the Society, as issued.

VIRGINIA HISTORICAL SOCIETY, Richmond, Va.—The “Virginia Magazine of History and Biography,” as issued.

WASHINGTON UNIVERSITY STATE HISTORICAL SOCIETY, Seattle, Wash.—“The Washington Historical Quarterly,” as issued.

WILLIAM AND MARY COLLEGE, Williamsburg, Va.—“William and Mary College Quarterly,” as issued, and back numbers.

WISCONSIN STATE HISTORICAL SOCIETY, Madison, Wis.—Publications of the Society, as issued.

YALE UNIVERSITY, New Haven, Conn.—Bulletin of the University, as issued.



# THE QUARTERLY

OF THE

TEXAS STATE HISTORICAL ASSOCIATION

VOL. XI.

OCTOBER, 1907.

No. 2.

*The publication committee and the editors disclaim responsibility for view expressed by contributors to THE QUARTERLY.*

## THE RECORDS OF AN EARLY TEXAS BAPTIST CHURCH.<sup>1</sup>

### I.

1833-1847.

The Church Book, belonging to the Pilgrim Predistinarcan Regular Baptist Church of Jesus Christ

Constitution of said Pilgrim Church

Whereas the various sentiments on the subject of the Christian religion now progressing in the world, cannot all be right and having no doubt but that god has his church or kingdom now set up in the world Who being all taught of the Lord speak the same thing—and also believing that every attempt to unite in union the advocates of any, or all of the various contradictory spirits or prin-

<sup>1</sup>The church to which refers the document here printed in part is still in existence, its present location being near Elkhart, Anderson County. It is probably the first Baptist church of Texas. The enumeration of Baptists in Texas in 1837 by Rev. Z. N. Morrell (*Flowers and Fruits*, 72) indicates that if there was an earlier organized church of this faith it must have been the congregation of "Primitive Baptists" on the Colorado near Bastrop, the pastor of which was Abner Smith. H. H. Bancroft (*North Mexican States and Texas*, II 547) attributes to Morrell the statement that in 1837 began the existence of the first church in Texas

ciples, are but stratigems of the enemey and markes of hypocrisy. Therefore we whose names are set to the following articals or expressions of faith, being of the regular Baptist faith and order, do, and have hereby agreed to unite, and live together in a church capasaty, upon said articals of faith, acknowledging our accountability to each other, in the maintana[n]ce of the doctrine implied, or expressed therein

#### Articals of faith

1st. We believe in one only true and living god, eternal and Im-mutable. The creator of all created things, Visible and invisable Who governs all things in rightousness according to the Counsel of his own will, and that he has revealed himself to the Children of men in the scriptures of truth, under the Charrector of Father, Son, and holy ghost.

2d. We believe that god created man good and upright, but that man by his sins and transgressions has become dead in trespasses and sins and is utterly unable to change his own heart, or to deliver himself from the fallen depraved state which he has fallen into under the influence of the Power of Darkness.

3d. We believe that god.s Elect were chosen in Christ before the world began, and was therefore appointed to faith and obedience in love, which is effected by the Power and spirit of god in the work of regeneration, according as god has purposed in himself to do, and that Jesus Christ was set up from everlasting as the head of his body the church, and that in consequence of his union, or relationship thereunto as the head of the body, His

organized "on strictly gospel principles," and adds that he meant the first Baptist church. But Morrell's own expression (*Flowers and Fruits*, 77), "with no anti-missionary element in its body," shows that he meant the first Missionary Baptist church. The "Pilgrim" church, he evidently meant to exclude.

The loan of the original Church Book belonging to this church for the purpose of copying and publishing these records was obtained through the kindness of Daniel Parker, Sr. Mr. Parker is a son of Benjamin Parker, who was for many years pastor of the church; and Benjamin Parker was a son of Daniel Parker, who was its organizer. The book consists of three parts, each made up of some twenty sheets of paper fastened together, and the first part contains the matter which appears in this number of THE QUARTERLY. The other two parts carry the record forward to October 16, 1897.

Daniel Parker, who organized the "Pilgrim" church, and whose name

righteous life, death, resurrection and assension, is the means or meritorious cause why the church is ever reconciled to god.

4th We believe that god.s elect or chosen in Christ, will in time be effectually called, regenerated, and born of the Holy Spirit and stand justified before god, in Christ, which is the righteousness of god imputed to them, and that they will persevere in, or by grace to glory and never finely fall away, so as to be lost

5th We believe that good works in the acts of obedience, are the fruites of the faith of god.s elect, and follows after they are born of the spirit, as the effect of grace in the heart, by which their Justification is externally declared to the glory of god, and formes one of the main basses of the Christian union, which cannot be dispensed with

6th. We believe, that the union and relationship of the members in the church or body of Christ, is such, that each memeber should submit themselves to the Church, with a fealing interest therein, and that Baptism and the Lords supper are ordinences in the Church of god, to be administered to none but believers in Christ, and that to be legally immersed in water is the only gospel act or mode of Baptism.

7th We believe, that none have a right to administer the gospel ordenances, but such ministers of the gospel who have received the legal authorety from the laws of Zion, by the laying on of the hands of the Presbytery, who act under, and by the authorety of the gospel Church, and that the church should hold her own keys of government in her own hands, and the ministray with which she is blessed are to considered her servents as lights and gifts

appears so frequently in the record of its proceedings, was born in Culpepper County, Virginia. While he was yet a little boy, his father moved to Franklin County, Georgia, and there Daniel grew to manhood. In 1802 he joined the Baptist church, and in 1803 was licensed to preach. March 11, 1802, he married Patsey Dickerson, and in 1803 he moved to Dixon County, Tennessee, and settled on Turnbull Creek. May 20, 1806, he was ordained at Turnbull Creek church; and soon afterwards he moved to Sumner County, where he was pastor of the Bledsoe Creek church for ten years. In 1817 he moved to Illinois and settled near Palestine in Crawford County. Palestine, Texas, is said to have been named by John Parker, the son of Daniel Parker, for this Illinois town where the family had previously lived. During his residence in Illinois, Daniel Parker published a work on the "Two Seed" doctrine and edited two volumes of his church paper. He was also twice elected to the State Senate of Illinois.

In 1832 Mr. Parker visited Texas. According to his construction of

which god has given to her, subject to the government and discipline of the Church.

8th We believe in the internal work of the holy spirit, In experimental religion, The call to, and work of the ministry, and that it is the duty of the Church of god, to distinguish herself from all false sects, by the expressions of her faith in Christ, and her understanding in the word of god as taught her by the divine spirit, and we will therefore have no Christian union nor fellowship with those who are denying these things.

9th We believe, that, the scriptures of the old and new Testaments are of divine origin and authority, and is the only infallible rule of faith and practice and we therefore agree that the scriptures of divine truth, is, and shall be, by us, considered the only standard by which our faith and practice, is, or shall be tried, keeping in view the expressions of our understanding therein as principles upon which we have agreed to unite.

10th. We Believe that the Church or kingdom of god set up in the world is a spiritual kingdom—that men in a state of nature cannot see it, as to its spiritual existence—that it is the door or medium by or through which the children of god, (the converted soul) or subjects of the redeemer's kingdom may step into their Christian duty, and shew forth the prayers of him who hath called them out of darkness into his marvellous light, and that it is therefore the duty of the church, to receive members by their relating their hope in Christ as their experimental knowledge of salvation by grace, wrought by that divine spirit which the world cannot receive, by which the heart-felt union takes place, with those who

the Mexican law, it forbade the organization of a Protestant church in Texas, but not the immigration of such a church already organized. He, therefore, organized the "Pilgrim" church in Illinois, and then the members moved to Texas, retaining their organization.

Daniel Parker was a prominent member of the Consultation and of the Council of the Provisional Government. He was elected to the Congress of the Republic in 1839; but the constitution made ministers of the gospel ineligible, and he was, therefore, refused his seat. He died December 3, 1844.

The facts concerning Daniel Parker here given are taken mainly from a sketch furnished by Daniel Parker, Sr., through whom the Church Book was obtained. See also John Henry Brown, *Encyclopedia of the New West*, 290, and Morrell, *Flowers and Fruits*, 32, 72.

The footnote annotations are by the editor, who, because of the peculiarly quaint and interesting character of the original, has made fewer changes in the form than might otherwise have been desirable.

have obtained like precious faith by the grace of god or same divine spirit.

11th We believe that the Lord.s day or first day of the week should be spent in the worship of god, and that on that day we should rest from all our temporal concerns, except in cases of neecessity and murecy

12th We believe in the resurrection of the dead, both of the just and unjust and that the joys of the righteous will be eternal, and the punishment of the wicked of endless duration.

In testimony of our volentarily uniting together in a church capacity upon the facts presented in the foregoing preamble and articals of faith to the surport of the doetrine expressed, or contained therein agreeing to receive in union with us, as oppertunity may permit or duty require, such as has been divinely taugh[t] into the same faith. We have caused our names hereunto to be set, this the 26th day of July 1833 in the presence of the Presbytery hereafter discribed by their cirtifecate.

#### Names of Members Constituted

Daniel Parker, Patsey Parker, John Parker, Julious Christy, Rachel Christy, Salley Brown and Pheby Parker.

We whose names are hereunto set, connected with the Churches to which we belong, do certify, that we at the request and in the Presence of the regular Baptist Church at Lamalt<sup>1</sup> Crawford County State of Illinois. Proseded on the 26th day of July 1833 to Constitute the foregoing named brethren and sisters, into a church Capacaty upon the acknowledged facts and doctrine contained or expressed in the foregoing Preamble and articals of faith and by the authorety of the regular Baptist Churches to which we severally belong in us vested. We have clo[t]hed them with authority, to transact business as a church. In testimony whereof we have hereunto set our names

Names.	Churches
Elder Richard M. Newport	Gladly Lock
Richard M Highsmith Deacon	" " "
Elder Thomas Young. Wm Griggs Deacon.	Mount Zion

<sup>1</sup>Lamotte.

Joseph Neal, Jesse Page Deacons,                      Grand Prarie Church  
 John Wood, Fredrick Markley Deacons      Lamalt<sup>1</sup>      “      “

After the Church was constituted she Proseded

1st. Agreed to be known by the name of The Pilgrim Predes-  
 tinarian Regular Baptist Church.

2d. Appointed Brother Julious Christy Clerk, and adopted  
 rules of decorum for the government of the Church while in cession.

3d. Agreed that until the Church can have her regular, or,  
 stated Church meetings, to hold Church meetings whenever two  
 thirds of her members think it advisable and can be Present, but  
 not less than two thirds can be a corum to do business at any other  
 but her stated meetings.

#### Rules of Decorum.

1st. Church meeting shall be opened and closed by Prayr.

2d If there be not a stated moderator, There shall be one ap-  
 pointed by the suffrage of the members Present, and it shall be the  
 duty of the moderator to keep the church in order, attend fairley  
 to all questions before her and announce her d[ec]issions. Report  
 any member immediately to the Church, who will not submit to  
 order when Called on. Any member may Call to order. The mod-  
 erator shall deside on Points of order, yet any member may appeal  
 from his judgments to the Church, who shall settle the Point in  
 dispute. The moderator shall not vote, except in the case of a  
 tie to give the casting vote. He has a right to give his views on  
 any subject, by calling on some member to keep order.

3d Visiting brethren in union with us, of our faith and order  
 who are in good standing in their Churches, shall be invited to  
 seats with us in Council

4th A door shall be opened for the reception of members when-  
 ever it may be thought nessesary.

5th Refferences shall be taken up and attended to

6th The door shall be opened for matters of Dealing where the  
 gospel order has [not?] been attended to, or any thing that is like  
 to marr the Peace of the Church. If there be nothing of that na-  
 ture, Then any other business nessesary to be attended to.

7th. But one Person shall Speak at a time, who shall arise from

<sup>1</sup>Lamotte.

his seat, and address the moderator in order, and no one shall speak more than three times to one subject, without leave from the Church. No whispering reading etc. in the time of public speaking, and each speaker shall attend strictly to the subject in hand, without any unchristian like remarks on a former speaker. No member shall leave his seat in time of business without leave

8th The Church agrees to do all her business by the Voise of a majority of her acting members, except in receiving in members, granting letters of dismission and setting forward gifts in the Church, which shall require a unanimous Voise. Yet the Church has the right to call for the cause of objections, judge of the propriety of the same, and the Voise of two thirds of the acting members shall govern in such cases, so as to over rule such objections

9th Every motion made and seconded shall come under the consideration of the Church except withdrawn by the Person who made it.

10th Any amendments may be made to these rules, when ever the Church may think it nessesary

11th. It shall be the duty of the church Wheare anny Male member absents him self from the church three Meatings hand Running to Enquire the caus for so doing

August 11th 1833. The Pilgrim Church of Predistinarian Regular Baptists set at the house of Elder Daniel Parker Crawford County Ill. and in order Proseded to business Elder D. Parker moderator

1st. Received Brother and sister, Robert Davidson [<sup>A</sup>Dead]<sup>1</sup> and Rebecah his wife as by letter from our sister Church at Turmans [Freeman's?] Creek their letters having been granted, but the want of opportunity prevented their getting them. [<sup>A</sup>Dismissed by Letter May, 1859]

2d Received Brother and sister, Stephen Crist, and Anney his wife by letter.

3d. Recognised the former act of the members, in giving Brother and sister Christy letters of Dismission.

<sup>1</sup>Words in brackets and also marked A are annotations of the manuscript by the church clerk, most of them made apparently long afterwards. The brackets and marks are inserted by the editor.

4th Appointed Elder Daniel Parker moderator of this Church and Brother Robert Davidson Clerk. Ajourned.

October 20th 1833. Clayburn Parish, Stat of Louisana The Pilgrim Church etc in her travail, conveyed on the campground, and in order Proseded to buseness.

1st Received the following named Brethren and sisters by letters. (Viz) Elder Garrison Greenwood, Richard Eaton and Polly Eaton his Wife Joseph Jorden Nancy Faulkenbery Rachel Eaton and Elizabeth Eaton. Ajourned.

Texas, Austin's Colliney, Saturday January 20th 1834. The Church meet according to a previous arrangement at the House of Elder Daniel Parker.s and in order Proseded to business Elder G. Greenwood Clerk Protem.

1st. Agreed, that the Saturday before the first Lord.s day in each month be the days of holding Church meeting, and that the House of Elder Daniel Parker be the place of meeting for that Purpose, and that her first cession be in March next.

Ajourned.

Saturday, 1st March, 1834 The Church met and in order Proseded to business. Elder Greenwood Clerk protem.

1st. Took under consideration the Propriety, of selecting or calling to office, a Deacon, or deacons, to serve the church in that capasety, and refered the act, thereon until the next meeting.

2d. The Church agrees to meet at Eleven oclock, on the days of Church meeting.

3d. Appointed D. Parker and G. Greenwood to Correct and arrange the Church Book. To be inspected next meeting. Ajourned.

The names of Members belonging to the Pilgrim Predistinarian Regular Baptist Church.

Daniel Parker, Constituted, [<sup>A</sup>dead]

Patsey Parker do. [<sup>A</sup>dead]

John Parker Do. [<sup>A</sup>Dead]

Julious Christy Do. [<sup>A</sup>Dismissed.]

Rachel Christy. do. [<sup>A</sup>Dis.]

Sally Brown do. [<sup>A</sup>Dead]

Pheby Parker Do. [<sup>A</sup>dis.]

Joseph Jorden, by letter [<sup>A</sup>dead]

Rachel Eaton by letter [<sup>A</sup>dis]  
Isaac Parker, by letter [<sup>A</sup>Dis.]  
Lucy W. Parker by letter. [<sup>A</sup>dis.]  
Lucinda Parker by letter [<sup>A</sup>dis.]  
James Jordan by letter [<sup>A</sup>Dist.]  
Prudence Jordan by letter [<sup>A</sup>dead]  
Thos. C. Denson by letter  
Polly Denson do [<sup>A</sup>dead]  
John Grigesby. do [<sup>A</sup>dead]  
Louisa Grigsby do [<sup>A</sup>dead]  
Stephen Bennett do [<sup>A</sup>Dead]  
Harriet Bennett do. [<sup>A</sup>dead]  
Permelia Bennett do [<sup>A</sup>Dead]  
Mary Bennett do. [<sup>A</sup>dead]  
John Gregg do [<sup>A</sup>dead Nov 1840]  
Armsted Bennett do [<sup>A</sup>ded.]  
Faith Bennett [<sup>A</sup>dead]  
Thos. Lagow do [<sup>A</sup>dead]  
Sary Lagow do. [<sup>A</sup>dead]  
Elizibeth Frost do. [<sup>A</sup>dist]  
Ruth Morgan do. [<sup>A</sup>dis.]  
William Brittin do. [<sup>A</sup>dis]  
Jeremiah J. White do. [<sup>A</sup>dis.]  
Rosanna Brittin do. [<sup>A</sup>dis.]  
Samuel Little do. [<sup>A</sup>dis.]  
Sarah Little do. [<sup>A</sup>dis.]  
Eli Bowen do. [<sup>A</sup>dis.]  
Marian Bowen do. [<sup>A</sup>dis.]  
Isaac Ranfro, experience [<sup>A</sup>dis]  
Sophie Thompson, letter [<sup>A</sup>dis]  
Mary Holway do. [<sup>A</sup>Dead]  
Robert Davidson. Rec by letter [<sup>A</sup>dead]  
Rebecca Davidson, by letter [<sup>A</sup>Dis]  
Stephn Crist, by letter [<sup>A</sup>dist.]  
Anney Crist. by letter [<sup>A</sup>dist.]  
Garrison Greenwood by letter [<sup>A</sup>dis]  
Richard Eaton by letter [<sup>A</sup>Dead]  
Polly Eaton by letter [<sup>A</sup>dead]  
Nancy Foulkinbery by letter [<sup>A</sup>dist]

Elizebeth Eaton by letter [<sup>A</sup>Dis]  
 Oliver Morris, by letter [<sup>A</sup>Dism.]  
 Robert A. Love, by Relation [<sup>A</sup>Dead.]  
 Sylpha Ranfro, letter, [<sup>A</sup>dis.]  
 Richard T. Gipson do. [<sup>A</sup>dis.]  
 Elizibeth Redgway do. [<sup>A</sup>dismd.]  
 William Harris do. [<sup>A</sup>dismissed]  
 Annah Harris do. [<sup>A</sup>dismst.]  
 Mary Brooks do. [<sup>A</sup>Dismsed.]  
 John Wilkinson do. [<sup>A</sup>dis.]  
 Susanah Wilkinson do. [<sup>A</sup>dis.]  
 Nathanuil Morgan do. [<sup>A</sup>dis.]  
 Winney Morgan do. [<sup>A</sup>dis.]  
 Thomas Star do. [<sup>A</sup>dis.]  
 Pheby Hassell do. [<sup>A</sup>dis.]  
 Saley Hassell, do. [<sup>A</sup>dis.]  
 Emmeley Redman, do. [<sup>A</sup>dis.]  
 Thomas. (Blackman) do. [<sup>A</sup>dis.]  
 Hannah. (Blackwoman) by experience. [<sup>A</sup>diss.]  
 John B. Roberts, by letter [<sup>A</sup>dis.]  
 Luke Johnson. do. [<sup>A</sup>dead]  
 Amanda Johnson do [<sup>A</sup>dis]  
 Mary Blair do. [<sup>A</sup>dead]  
 Nat a Blackman do. [<sup>A</sup>Excluded.]  
 Isaac H. Pate. experience [<sup>A</sup>excluded]  
 Lemuel Cook, by letter [<sup>A</sup>dis.]  
 Benjamin Eaton do. [<sup>A</sup>dis]  
 Malinda Eaton do [<sup>A</sup>dis]  
 Wm. H. Worren do. [<sup>A</sup>dis]  
 Isabella Worren do. [<sup>A</sup>dis]  
 Joseph Crawford by experience [<sup>A</sup>Dead]  
 Rebeca Pate by letter [<sup>A</sup>dismissed]  
 John A. Allison by Relation [<sup>A</sup>exclded]  
 Thomas Lenards by letter [<sup>A</sup>dis]  
 Sarah Lenards Do. [<sup>A</sup>dis]  
 Fredrick Blanchard by exprency [<sup>A</sup>dis]  
 Delpha Blanchard do. [<sup>A</sup>dis]  
 Reubin Brown. do [<sup>A</sup>Dead, (1859)]  
 Hannah Stoe by letter [<sup>A</sup>Dismissed]

Sarah Ellen Eaton, by ex[p]erence [<sup>A</sup>dis]  
Marcus P. Mead by experienc [<sup>A</sup>dead]  
Elizabeth Mead do. [<sup>A</sup>dead 1858]  
James W. Parker by Letter [<sup>A</sup>excluded]  
Samuel Little do. [<sup>A</sup>dead]  
Sarah Little do. by letter. [<sup>A</sup>dis]  
Elizabeth Little do. [<sup>A</sup>dead]  
Easter A Colored Woman by Recom. [<sup>A</sup>ded.]  
Charles Huffman by Letter [<sup>A</sup>excluded]  
Marthy Huffman do [<sup>A</sup>dead]  
Joseph Kennedy by Recom [<sup>A</sup>dead]  
Abigail Kennedy by Reccom [<sup>A</sup>dead]  
Samuel Stuart by letter [<sup>A</sup>dead]  
Jane Stuart [<sup>A</sup>exclud]  
Jasper Starr exsperen [<sup>A</sup>excluded]  
John L Melford do [<sup>A</sup>dis]  
Joel Stow do [<sup>A</sup>Dismissed]  
Qually a Colored Man by Recm. [<sup>A</sup>Excluded]  
Robert M Garret by letter [<sup>A</sup>Excluded]  
Emely Garret do [<sup>A</sup>dead]  
Thomas W Brooks by recom [<sup>A</sup>Excluded]  
Charles Barrett by letter [<sup>A</sup><sup>1</sup>Restord Dis by letter]  
Eliza Brooks by exsperienc [<sup>A</sup>Dismissed]  
George Sherwood, by Recom, [<sup>A</sup>Excl]  
Thomas Graham by Letter [<sup>A</sup>dismiss by Letter]  
Jane E. Graham by Letter [<sup>A</sup>dismiss by Letter]  
Edy Black. by Reco. [<sup>A</sup>Dead]  
Laura Bennett by Ex.  
Mary Owens by Ex. [<sup>A</sup>Dead]  
Miles Bennett by Ex. [<sup>A</sup>Dead]  
Penelope Hynsley by Ex. [<sup>A</sup>Dead]  
Littleton Helm, by Letter [<sup>A</sup>Dead]  
Mary Helm by Letter [<sup>A</sup>dead]  
William Lago by Exper [<sup>A</sup>Dismissed]  
John D. Mathews by Letter [<sup>A</sup>Dis by letter Received back by  
same letter Dismissed]

1859

<sup>1</sup>The word "excluded" marked out.

Dead 1-11<sup>1</sup>

Dismiss by letter 1

- Excluded, 1

Received by Letter, 11

Recom 1

1860

dismiss by Letter 2

Dead 111

Re by letter 111

by Recom 1

Re by Exp 11

Richard Moor by letter [<sup>A</sup>Dis]

Mary Moor by Letter [<sup>A</sup>Dis]

Mary B. McKinney by Recom [<sup>A</sup>dismissed by letter]

Js W Stalleup by Exp [<sup>A</sup>Dead]

J. M. Stalleup by Exp [<sup>A</sup>Dismissed]

Wm Heaton by Letter [<sup>A</sup>Dead]

S. M. Mathews by Letter [<sup>A</sup>Dismissed by letter]

Levisa Mathews by Letter

B. O. Hendrix by Recom [<sup>A</sup>Dead]

Saturday April 5th 1834. The church met and in order proceeded to buseness. G. Greenwood, Clerk Protem.

(1st.) Received Bro. Isaac Parker, and sisters, Luey W. Parker and Luey Parker,<sup>2</sup> by letters.

(2d) Took up the refernee from last meeting respecting Deacons. and the church being informed that Brethren, Isaac Parker and Stephen Crist has heretofore been Called and ordained to the office of Deacons, proseded to Call them to serve her in that work.

(3d.) The Committee appointed last meeting, to examen, and arrange the Church Book, Presented it, as eorreectly arranged, and the ehurch appointed Brethren Isaac Parker, and Stephen Crist to exammon the order and arrangement of the Book, and report thereon, at next meeting.

(4th) Bro. Davidson. (the former Clerk) living at such a dis-

<sup>1</sup>This probably means 3. In the statistics that follow, the figures, except the "2" under "1860," seem to be intended for check marks rather than Arabic numerals. They should therefore each be counted as one.

<sup>2</sup>Apparently the same as the Lucinda Parker, where name is given on page 93 above.

tence, that he cannot serve the Church in that Capacity, The church proseded to appoint, Bro. Isaac Parker Clerk of this Church.

(5th.) The Church agrees to attend to the Lords supper at her June meeting, on Sunday, and to attend to fasting and prayr on the friday before.

6th. Elder Daniel Parker reseigns his office as Moderator and the Church refers the answer upon the reception thereof, until next meeting

Ajourned

Saturday May 3d. 1834 The Church met and in order proseded to buseness

1st The Committee apointed to Examon the Church Book being unprepared to report were continued until next meeting.

2d The Church receves the resignation of E[l]der D. Parker as moderator, and proseds to appoint him moderator Prom. [*pro tem.*]

3d Elder D. Parker presents certain quarys for investigation, and the Church pospones her Voise on the reception thereof until next meeting.

Ajourned

Saturday may 31st 1834. The Church met and in order Proseded to business. Elder D. Parker moderator Protem.

1st. Received, James Jordain and Prudence Jordain his wife by letters.

2d. Committee appointed to examon the Church Book reported it as being correctly arranged, which was received

3d. Agreed to take up for investigation, the quearies presented by Elder D. Parker at last meeting, to be attended to at any time the Church may think it best. The queres are as follows. (Ferst) Is or is not the Church an Ecliseastical Power, with her offices, and officers, Possesing legal authorety as a people, nation or Kingdom, to regulate and Place her several officer[s] in their Proper work, as directed by Precept or Example in the Scripturs of truth? 2d. Dose or dose not there appeare to be three works or offices in the Church nessesary to be filled for her benefit, and the Glory of God, That of the ministray, [that] Of government and that of the work of a deacon? 3d. If these three offices be found in the Church: how are they filled and how are the several workes to be devided between the several officers and what is each mans work?

4th. The Church being informed that Brother James Jordain has been ordained to, and served in, the office or work of a deacon proseded to eall him to assist in that work. Ajourned.

By reason of siekness, The Chureh being prevented from meeting together untill Saturday, Sepr. 6th. 1834 at which time she met and proseded to business

1st. (Elder D. Parker moderator protem) To receive Brother Oliver Morris by letter, and Brother Robert A. Love by reecom-mendation, or relation The Church being satisfactorly informed that said Brother was a member in order, in the grand Prarie Church Crawford County Illinois, and that he had made reasonable arrangements to obtain his letter, which had failed to reach him. Ajourned.

Saturday Oetober 4th 1834 The Chureh met and in order proseded to business (Elder G. Greenwood Mor. Protém)

1st. Whereas it appears that the members of this Church is about to seater into different parts, The Clerke is therefore instructed to give up the Church Book to the largest body of members, who are likely to settle convenient, so as to keep up their ehureh meetings, and so preserve the existenee of the Chureh in this wilderness Country to the Glory of God. Ajourned

Saturday Novr. 15th 1834. (Calld. meeting) The Church met and in order Proseded. (G. Greenwood Moderator Protém)

1st. Granted Brother Oliver Morris a letter of dismission, and ordered the Clerk to prepare and furnish him with the same Ajourned

Saturday July 4th 1835. After an Elapse of time from the 15th of November 1834 to the present. Aeording to a preveous notise or arrangement, the following named Brethren and sisters (Viz) Garroson Greenwood Daniel Parker Joseph Jorden, Stephen Crist and John Parker (Sisters) Patsey Parker Anney Crist Salley Brown and Pheby Mills (formerly Pheby Parker) Met at the House of Elder Daniel Parker.s in Burnets Grant Juresdiction of Naeogdoehes Texas. Being in possession of the Church Book by eonsent of the Clerk, upon Examonation Consider themselves, Leagerly and properlay the Pilgrim predistinarean Regular Baptist Church and therefore proseded to business. Elder G. Greenwood moderator Protém. and D. Parker Clerk Protém.

1st. Agreed that our next meeting be at the same house on the Saturday before the first Sunday in August next

2d. The Church proseded to clothe Elders G. Greenwood and D. Parker or Either of them and the Decons of this Church to assist in Constitue<sup>1</sup> Churches and ordain[ing] officers therein; if Called on and they think it advisable to do so      Ajourned

Saturday August 1st. 1835    The Church met and in order proseded to business    G. Greenwood Moderator Prom. and D. Parker Clerk Prom.

1st. The Church agrees that her next meeting be held at the same Place the Saturday before the first Sunday in September next  
Ajourned

Saturday September 5th 1835    the Church met and in order proseded to business G. Greenwood moderator prm. and D. Parker Clerk Prm.

1st. Received Bro. Thomas C. Denson and his wife Sister Polley Denson, By Relation, They informing us, that they were members of Little Hope Church in the State of Illinois a member of the Illinois association which Church had fallen into such Disorder and Confusion, that they thought that Letters of Dismision would be of no wourth to them

2d    The Church agrees that her next meeting be at the same place the Saturday before the first Sunday in October next, Ajourned.    D. Parker Clk.

Saturday October 3d 1835.    The Church met and in order proseded to business.    D. Parker Mor. Protom. and G. Greenwood Clerk Prom.

1st. Agreed that the Church still hold her meetings on the Saturday before the first Sunday in each month, and to be continued at the house of Elder D. Parker until she thinks it best to move it from there. And appoints Elder G. Greenwood Moderator of this Church and autherrises and requires him to Call A Special meeting of the Church whenever he may think that Circumstances and Duty requires it. (Ajourned)    G. Greenwood Clk.

Saturday January 2d 1836    The Church met and in order

<sup>1</sup>Constituting.

opened to business, John Parker Clerk Protem. There being no business. Ajoined.

Saturday Feburary 6th 1836 The Church met and in order proseeded to business D. Parker Mor. Prom. and T. C. Denson Clerk Prom.

1st. Received the following named brethren and sisters by letters. John Gregesby Eliza Gregsby, Stephen Bennett, Harriet Bennett, Permelia Bennett, Mary Bennett John Gregg.

Ajoined

Saturday March 5th. 1836 The Church met and in order proseeded to business. D. Parker Mo. Protem and John Grigsby Clerk Protem

1st Received Bro. Armsterd Bennitt and Sister Faith Bennett his wife by letters

2d. Bro. Denson complained against himself for having dishonored the cause of Christ by drinking too much spirits at the election on the first day of February last and acting wrong. For which he made satisfactory acknowledgements Ajoined

Saturday 2d of April 1836 The Church met, and in order proseeded to business D. Parker Mo. Pro. and Jessee Denson Cl. Pro.

1st. Whereas it appears that the members of this church are like to scatter by reason of the appearant danger and unsetted state of the country, and may not agane meet at thier reagular meeting. Therefore it is agreed by this Church that should such an event take place, the majority of the members united at this Place removing or remaining are entiteled to the Constitution and Church Book. Provided there be a prospect of their keeping up the Church order, if not the body of brethren who are [have] best prospect of sustaining the Church are entiteled to the Constitution and Church Book. Ajoined.

In consequenc of the war in the countrey and the appearance of surrounding dangers, The members composing the Pilgrim Church etc became so scatered, that they failed to meet in a church capasety, until saturday the 25th of Feburary 1837. at which time the following named members met or was Present at the House of Elder D. Parkers their former place of worship, (now to be designated In the County of Nacogdoches and Republic of Texas,

according to the new arrangemint in governmental affairs) (Viz) Richard Eaton, Armstead Binnett, Stephen Bennett, John Grigesby Daniel Parker, John Parker, Faith Bennett, Mary Bennett, Harriet Bennett, Permelia Bennett, Polley Eaton, Elizebeth Eaton (now Elizebeth Welch) Rachel Eaton and Patsey Parker and in counsel Proseded, D. Parker Mor. Prot. and John Grigsby Clerk Prom.

1st. Agreed that inasmuch as they were in possession of the Church Book. and Constitution and the prospect of the additional strength of Elder G. Greenwood, Thos. C. Denson, Polley Denson, Louisa Grigsby and Salley Brown, all, who now resides in reach, Agreed to revive thier Church meetings, at the same time and Place as formeley.

2d Directed the Clerk to prepare the minutes of this days prosedings, for the Examonation of the Church at her next meeting.

Ajorned.

Saturday, March. 4th 1837. The Church met and proseded to business. G. Greenwood Mor.

1st Received Sister Elizebeth Frost. by letter

2d Appointed Bro. John Grigesby, The Standing Clerk of the Church inasmuch as the former Clerk is not in rech to attend to the business of the Church.

3d Read and approved of the minites and prosedings of the spicial meeting of the Brethren on last Saturday. Ferbruary, 25th. 1837—

Ajorned

Saturday, April, 1st. 1837 The Church met and proseded E. D. Parker Mor. Pro.

1st Received Bro. Thos. Lagow. and his wife sister Salley Lagow by letter.

2d. Elder G. Greenwood having removed out of the bounds of the Church, The Church proseded to appoint Elder Danier Parker her standing moderator

Ajorned

Saturday May 6th 1837 The Church met and in order proseded to business. Richard Eaton Clerk Prom.

1st Received Sister Cockrum, (formely Polley Welch) By letter.

Ajorned

Saturday June 3d 1837. The church met and in order opened

to business. (Armsterd A. Bennett Clerk Prom.) There being no business before her  
Ajorned

Saturday 1st. of July 1837 The Church met, and in order opened to business, but there being no business before her.  
Ajourned

Saturday August. 5th 1837 The Church met, and in order opened to business, and there being nothing before her. Ajorned

Saturday September, 2d 1837 The Church and in order proseded to business

1st. Brother Richard Eaton having heretofore been ordained to the office, or work of a Deacon Therefore this Church Calls on him to officiate in that office, in her service.

2d. The Church agrees that her next meeting in Corse be a communion season, and that the friday before be a day of fasting and Prayr.

3d. Agreed. That as the Scatured Situation of the members of the regular Baptist Faith and order in Texas, are such, that the Common and more proper corse of order, eannot reasonably be attended to in constituting Churches etc and beleiving that Church authority is indispenable in all such work Therefore. Elders Daniel Parker, and Garrison Greenwood, are hereby autherised by the authority of this Church, Either or both of them, to Constitute Churches under or on the regular Baptist Faith and order, ordain Preachers and deacons to their several works, Calling to their assistince all the helps in counsel, in their reach, acting particularly cautious in all their works, and Report to this Church, all and whatever work, they may perform, under this authority, from time to time, as Cereumstances may permit and require.

Ajorned.

Saturday September 30th 1837 The Church met and in order proseded to business.

1st. Elder Daniel Parker, Reported, That on the Seventeenth day of September 1837, He exercised the authority vested in him by this Church In Constituting a Chureh. Said Church is Constituted on the East side of the Angeleney river in Brother Cook.s settlement. On Eight members five mailles and three feemails, one Deacon Wm. Sparks and on the same articals of Faith that this

Church is constituted, acknowledging her relationship to and with said Pilgrim Church of Regular Predistinaran Baptist.

Daniel Parker, M. O.

Which report was received by the Church and there being no other business. Ajoined.

Saturday December 2d 1837 The Church meet and in order opened for business and There being no business before her Ajoined

Saturday January the 6th 1838 The Church met and in order opened for business and there being no business before her Ajoined

Saturday march 31st 1838. The Church met and in order opened for business and there being no business, Ajoined

Saturday June 30th 1838. The Church met and in order proceeded to business

First. Agreed, That whareas, the members of this Church has become so scatred that they all cannot reasonably meet together at one time and place, and there being no church or churches convenient, with which they can unite, Therefore, The Church agrees to hold two stated Church meetings, or times and places of Public worship in Each month, one at the time and Place heretofore established, The other to be held at the School House in Lathoms and Pearpoints Settlement in Shelby County Republic of Texas, on the second Lord.s day, and day before it, in each month, or such other times and Places, that the members living easterdly may find most convenient to them, and they are requested and Directed to appoint a Clerk amongst themselves, as an assistant clerk to the clerk who serves the Church at this place. The said assistint clerk shall keep a fare record of all the transactions of the Church when acting in his bounds and transmit a Copy of the same to the Principal Clerk officiating at this Place from time to time as opertunity may permit, at lest every twelve monthes, who shall report the same to the Church at this place and record the same in the Principal Church Book. Done at our meeting of business the day and Date above written. Ajoined

John Grigesby Cl.

Daniel Parker Mo.

Saturday July 28th. 1838. The Pilgrim Church of Predistinarin Regular Baptist met at the School-House near Mr. Pierpints, Shelby County Republic of Texas. In conformity with an order of the Church entered on the 30th day of June 1838, and in order Proseded to business. (Elder Daniel Parker standing Moderator)

1st. appointed Elder Garrison Greenwood, Clerk Protem.

2d. Received Sister Ruth Morgan by letter into the union and fellowship of this Church—

3d. The Church agrees to Continue her meetings at this Place, and that the Second Sunday and day preseding in each month be the times of holding the same. Ajorned

Garrison Greenwood, Cl. Pro.

Daniel Parker Mo.

Saturday September 8th 1838 the Church met and in order proseded to business Brother John Parker apointed Clerk Protem.

1st. Received by letters Brethren William Brittin, Jerimiah White and Sister Rosanna Brittin Ajorned

Saturday October 13th 1838. The Church met and opened to bussiness, Elder G. Greenwood, Clerk Protem. There being no business, Ajorned

Saturday November, 9th 1838. The Church met, Bro. John Parker Clerk Prothem. There Being no business Ajorned

Saturday December 8th 1838. The Church met in order, appointed Bro. John Parker Clerk Protem, and proseded.

1st. Agreed: That, Whereas, The Church agreed, at the June meeting 1838 That she would hold two church meetings in each month and one of them to be held at this place (School House Lathem.s Settelment Shelby County Texas) or where the members in reach of this Place may think most convenient for them and that a clerk should be apointed to serve the church at her meetings in this settelment, as an assistant Clerk to the Principle Clerk of the Church. Whose duty it should be to make returnes of the prosedings of the Church at this Place to the principle Clerk of the Church, as oft as opertunity would permit at lest every twelve monthes, and it was made the duty of the principle clerk to report the same to the Church at her former regular Place of holding the Church meetings (Houston County Texas) and

record the same in order in the Church Book, And it now appearing that the Indian wars, and Difficulties are like to deprive the Church of her holding her church meetings at her former times and Place in Houston County Texas, and that a number of the Brethren by reason of those Indian difficulties has moved and are setting convenient to the Church meeting held at this Place, and amongst those Brethren are Bro. John Grigsbey the Principle Clerk of the Church, These circumstances preventing the assistant Clerk from making returns as Contemplated and Brother John Grigsbey being the Proper and rightfull Clerk of the Church, Therefore Brother John Parker the Clerk protem, at this Place, is hereby instructed to give up the church book and Papers to Bro. Grigsbey, and he the said Grigsbey is requested to officiate in his office and serve the Church at this Place as Clerk, and place the proseding of the Church at this Place in order on the Church Book, (it being in our Possession)

2d The Church took under consideration the duty of attending to the Lord.s Supper, and lays over the Conclusion and arrangements for the same until next meeting.

John Parker C. Pt.

Daniel Parker Mo.

N. B. The Church not having done any business at her former Place of worship sence she agreed to hold two Church meetings each month, it was thought Proper to spread the Proseding of the Church at this Place on the Church Book as they were trasacted

J. P. C.

D. P. M.

Saturday January 12th 1839. The Church met and in order Proseded to business

1st. Received Brother Samuel Little and Sister Sary Little, by Letters

2d The Church agrees that her next meeting be at the House of Elder D. Parker, and that she attend to the Lord.s Supper at that time and that friday preseding be a day of fast and humiliation.

3d The Church examoned and approved of the order in which the Clerk had arranged the Church Book

Ajorned

John Grigsby Clerk

D. Parker Mo.

Saturday Feby. 19th 1839. The Church met and in order proseded

1st. Agreed That her next meeting be held at the same Place (Elder D. Parkers)

2nd. The Church being informed by Elders. Parker, and Britton That their was Scattering Brethren something like eight miles East of San Augesteen who wissed to come into Church order, Agreed to and appointed Elders William Britton and Daniel Parker, and Brethren John Grigesby and Jeremiah White with as many of the Brethren as can attend, To meet and act as a Committee at the house of Doe. Thompson.s on the forth Lord.s day, and day before it in this month, There to sit and act by the authority and in the name of this Church in opening a door for, and receiving members into the order and fellowship of this Church, in any orderly way by which members are received intituled to the rights Previledges and fellowship of the Church. Ajorned

John Grigesby Cl.

D. Parker Mo.

Saturday March 9th 1839. The Church met and in order proseded to business. Brother John Parker Clerk Protom.

1st. Received Brother Eli. Bowen, and Sister Marian Bowen By letters.

2d. The Committee appointed to sit in the name, and act by the authority of this Church, at Doe. Thompsons east of San Augusteen, on the forth Lordes day and day before in the Past month, Reported, That by reason of the flood of Rain, they were Prevented from attending and doing the duties asseigned them. and the Church agrees to Continue said Committee, with instructions to attend the forth Saturday and Sunday in the Present month, or so soon thereafter as oppertunity may permit, at the said Thompsons and perform the work asseigned them, That any three or fore of the Brethren are autherised to act, and are required to Report their Prosedings, and acts to the Chureh, the next meeting after their action.

3d. The Church appoints her next meeting to be at the School House, her former Place of worship. Ajorned

J. Parker Cl. Prt.

D. Parker Mo.

Saturday, April, 13th 1839. The Church met and in order proseded to business

1st. The Committee appointed to sit at Dr. Thompsons East of San Augusteen to receive members, made the following Report.

This is to inform the Church, That, We, Jeremiah White, John Grigsby, and Elders William Britten and Daniel Parker, Met, according to appointment, at the House of Dr. Thompsons on Saturday the 23d of march 1839, about eight miles east of San Augusteen, and in order opened a door for the reception of members, and Recieved Bro. Isaac Ranfrow by Experience, and Sisters Sophiah Thompson and Mary Holaway by letters, Sister Holaway informed us of the existence and loss of her letter. We relied on the information and received her. On Sunday the 24th of March 1839 Elder Parker Baptised Bro. Ranfrow Your Committee Think, there is a prospect of good being Done, By Continuing the Power and actions of your Committe in that Settlement Therefore Recommend that the Church should do so.

John Grigsby Cl.

Daniel Parker Mo.

2d. The Church Recieved the Report of the Committee and Continues the Power and action of said Committee, In the settlement of said Dr. Thompsons and ads Elder Greenwood to said Committee with the members in that Settlement—

3d. The Church agrees to continue her meetings at this Place

4th. Elder Greenwood laid in the following query which was taken up for investigation.

Query. Is it good order, To invite to full Priveledges with us, Members of the Baptist order who hold letters of Dismission, and have failed to give up said letters, to some orderly sound Baptist Church?

Answer. It is not order to invite such Brethren to seets and Priviledges in the Church Yet Traveling Brethren may be invited to Church Priveledges, (Except Voting) by giving satisfactory evidence of their good order and stand. in the sound ordely Baptist Connection

Ajorned.

John Grigsby Cl.

Daniel Parker Mo.

Saturday may 11th 1839. The Church met and in order Proseded to Business

1st. The Committee appointed to attend at Dr. Thompsons and open a door for the Reception of members mad the following Report.

Your Committee met according to appointment at the House of Dr. Thompsons April 27th 1839 and acting in conjunction with

the members of this Church in that settlement, siting in order Received Sister Sylpha Ranfrow into this Church by relation. Your Committee Recommends the continuation of the Power and action of said Committee in that settlement.

John Gribbsy Cl.

Daniel Parker Mo.

2d Received The Report of the said Committee, and agrees to continue the Power and action of said Committee in the Settlement of said Dr. Thopsons at any time and Place said Committee may think most advantageous.

3d. Being informed by Elder Daniel Parker of the disorder and Difficulties the Church at Hopewell west of Nacogdoches are falling into, agreed to write to her, and Elders D. Parker and G. Greenwood Bare said letter, and do and act for this church, all the business in which she is concerned with said Sister Church Both or either of them is authorised to act. A copy of said letter is annexed to the minutes of this days proceeding, which shows the causes which produces the Difficulties etc.

4th. The Church takes under consideration the propriety of Building a meeting House and agreeing that she will try to do so. Appointed E. Bowen D. Parker and J. White to select a place where said meeting House shall be Built and report at next meeting.

Ajorned

John Gribbsy Cl.

D. Parker Mo

A Copy of the letter sent to the Church west of Nacogdoches.  
Shelby County, Republic of Texas.

The Pilgrim Church of the Predistinarian Regular Baptist Faith  
and order

To her sister Church at Hopewell meeting House, Nacogdoches  
County Republic of Texas, of the same faith and order

Send the Christian Salutation

Beloved Brethren

We learn that, there be some who trouble you, and are like to bring you into disorder, corrupting you both in faith and Practice, We allude to Elder Bryant together with the members composing what is called a church, in Sparkes's Settlement north of Nacogdoches. We much regret, That Elder Bryant and the mem-

bers with whom he stands connected were not sound in faith and in order as a Church. That they mite be Profitable to you and us, in the gospell of Christ. But from what we lern they are of the Seperate Baptist faith, with whom we have no connection, and as to their Church Capasaty, we consider them in disorder (first) Becous they were constituted by an unouthersed Presbytery, 2d The Reception of Elder Bryant, we think were not done in good order. 3d. The Church called on Elder Bryant to administer the gospel ordinances for her, without restoring him to the ministeral function in a gospel or legal way, Which leave all the members Baptised by him in disorder— Dear Brethren should these faets exist, as we lern they do, We warn you aganst thim as a disorderly unsound People, with whom we should have nothing to do, in a religious or Church capasaty. When they become sound in the faith and corrects their Disorders, Then and not tel then can we hold Christian union and fellowship with them, without partaking of their Disorder and Biding them god.s speed in their unsound Disorderly corse.—Beloved Brethren, from us you received your existence and Power as a Church, Therefore we clame Christian union and relationship with you, and a right to call on you to adhere to the faith upon which you were constituted, and united without deviation, and to correct any disorder that may be amoungst you and we will not exchange truth and gospel order for the flattery, errows, and friendship, of any man or People on Earth, and when ever you change or alter even one Itom of the articals of faith upon which you were constituted, you no longer exist as a church, by the authority which constituted you,—To bare this, and to transeact any business on our Part with you, We have sent our Beloved Brethern Daniel Parker, and Garrison Greenwood, Both or Either of them to act—Whom we hope you will receive as an expretion of our Christian love to you. May the grace, and Spirit of our Lord Jesus Christ be with your Spirits and guide you into all truth, Is the Prayr of of your Sister in Christ. done at our meeting of business, May 11th 1839 and signed by order of the Church—

John Grigsby Cl.

Daniel Parker, Mo.

Saturday June 8th 1839 The Church met and in order proseded to business.

1st. The Committee appointed and authersied to set and act by

the authority and in the name of this Church, for the Reception of members, in the Settlement of Dr. Thompsons etc made the following report

Thatt they sat in order in eonjunction with the members of this Church residing in said settlement at a new meeting House nere Docter Thompsons. on Saturday the 25th of May 1839, and received Brother Richard T. Gibson by letter This Brother is certified to have been a deacon in the church, and authorised to exercise a Public Gift On Sunday May 26th Received Sister Elizebeth Ridgway Brother William Harris and his wife Sister Annah Harris by letters. Your Committee Recommed, That the members of this Church residing in reach so as to meet at the meeting House in Dor. Thompson Settlement San Augusteen County When having the assistance of Elder G. Greenwood, Wm. Brittin or D. Parker either of them with as many more of the members of this church as may be present, Be authorized to act as an arm of this Church, To appoint a Clerk amongst themselves attend to all the Rules of decorum, Receive members. When eharges are taken aganst members, or any other difficult matter may apper amongst them Call on the Body for helps etc. The Clerk to make report in full of all their prosedings by the Elder which may attend them, at lest every three monthes

John Grigsby Cl

Daniel Parker Mo.

The Church Received, and approved of the Report of the Committee, and autherises as recomended That that Potion of members of this Church residing in reach of the meeting House in dr. Thompsons Settlement to act as an arm of this Church, as recomended by the Committee and the Clerk of this Church is hereby instructed to furnish said Brethren with a copey of those records and constitution with the rules of Decorum, of this Chureh

2d. Elder Daniel Parker Reported, That he attended the Hopewell Church west of Nacogdoches, as directed, found the disorder as Represented, delivered the letter sent by this Church, Which appered to be attended with good consequences The Brethren immdiatly ingaged in relieving themselves of the Disorders complained of, which gave him much satisfaction. The Chureh Received said Report with much satisfaction.

3d. Brethren Eli Bowen and D. Parker, Reported That they

had selected two Places, and submits to the church to decide on which of the two Places she would Build her meeting House. The one on the Ridge between Mrs. Morgans and Wilburns, The other place on the Bloof<sup>1</sup> of the Harrison fork of Buyo Blue north side, nere Elder Parker's on a new Road leading from Hamilton to Shelbyville.

The Church desides by vote That the Place Selected on the [bluff] nere Elder Parker.s be the place on which she will Build her meeting House, and appoints Brethren Richard Eaton Wm Britten and Daniel Parker as a Committee to obtain a bond for right to the land, and Superentend the Building of the meeting House with the sise and manner in which it shall be Built.

John Grigby Cl.

ajorned  
D. Parker Mo.

Saturday July 13th 1839. The Church met and in order Pro-seded to business—

1st. The Committee appointed to superintind the Business of the meeting House, (to obtain a bond for titles etc Reported a Bond for Titles for two acre and a half of land Executed by John Haley, for the use of the Regular Baptist Church as a Place of Public Worship, and a public Burying ground Which Bond was directed by the Church, to be handed to Brother Richard Eaton, as the Deacon of this Church, to which office in the Church, the Bond was executed.

John Grigsby Cl.

Ajornd  
Daniel Parker Mo.

Saturday October 12th 1839. The Church met and in order pro-seded to business.

1st. Agreed that Brother John Grigesby he aded to the Com-mitte appointed to superentend the building of the meeting house.

2d. Recieved a report, by the hands of Elders Wm. Britten and D. Parker, from the arm of this Church, at Dr. S. Thompson.s meeting House, as a copey of their Record prosedings, which was recieved, and ordered to be annexed to the minutes of this days Pro-seding. (Viz)

<sup>1</sup>Bluff.

San Augustine County Republic of Texa. The arm of the Predestinarian Pilgrim Church of the Regular Baptist faith and order at Dr. Thompson.s Meeting House. To the said Church to whom she belongs and stands accountable Beloved Brethren according to instruction We make the following Report of our Prosedings

Saturday the 22d. day of June 1839, Elder Daniel Parker and Brother John Grigesby, together with several of the Brethren in reach of Dr S. Thompson.s meeting house San Augustine County Republic of Texas met at said meeting house, and in order proseded to business. Elder D. Parker Mo. and Bro. John Grigsby Cl. Protom.

1st. A Copey of the Records of the Church to which we are members, The artieals of faith and rules of Deeorum (which are hereunto anexed) were Presented by Elder Daniel Parker and by the Copey of said Reeords, we lern that, we, the members of said Church in reach so as to meet at the meeting house in Dr. Thompson.s settlement, are under serten restrictions, as said records will show, set apart and authorized to act, as an arm of the Church Which liberty and authority we willingly accept of and through grace, will try to exercise to the glory of god and good of Zion

Ajorned

John Grigsby Cl. Pro.

D. Parker Mo.

Saturday July 27th 1839. The arm of the Pilgrim Church of Regular Baptist etc met at Dr. S. Thompson.s meeting house, and in order proseded to business Elder Parker Mo.

1st. Appointed Brother Isaac Ranfrow Clerk of this arm of the Church

2d. Received Sister Mary Brooks by letter  
Isaac Ranfrow Cl.

Ajorned

D. Parker Mo.

Saturday August 24th 1839. The arm of the Church met at Dr S. Thompson.s meeting house, and in order opened for Business and there being nothing before her

Ajorned.

Isaac Ranfrow Cl.

D. Parker Mo.

Saturday Sepr. 21st 1839. The arm of the Church met and in order Proseded to business.

1st. Agreed to send a Copey of our Prosedings to the church  
to which we are members, as we are instructed to do, and Elders  
Wm. Britten and D. Parker bare the same  
Isaac Ranfrow Cl. Ajorned  
D. Parker Mo.

Saturday Novr. the 9th, 1839. The Church met and in order  
opene[d] for business, by appointing Elder Wm. Britten Mo.  
Protm and Bro. John Parker Clerk Pro. and there being no busi-  
ness

Adjorned

Saturday Desember the 7th 1839. The Church met and in order opened for business by appointing Elder Greenwood Mo. Pro.

First The Church agreed to hold her meeting in future at her new meeting House nere Elder Parker.s  
Ajorned

Saturday January 11th 1840. The Church met and appointed Elder Britten Mo. Pro. and Bro. John Parker Clerk Pro. and in order opened for business and there being none before her

Adjourned

Saturday February 8th 1840. The Church met and in order opened for Business.

First, Elder D. Parker Presented the following Report from the arm of this Church which was received.

San Augustteen County Republic of Texas

January 25th 1840.

The arm of the Pilgrim Church of the Regular Baptist at Dr S. Thompsons meeting House To the Pilgrim Church etc of whom she is a part Beloved in accordance with our duty in what you have required of us, We herewith transmit to you by the hands of Elder Daniel Parker and Brother John Grigsby a Copey of our Prosedings from the close of Proseding Reported to you in September last upto the Present date. (Viz)

Saturday October 26th 1839. The arm of the Church met at Dr. S. Thompson.s meeting Hous and in order opend to business. Elder Parker. Mo. and there being nothing before her

Saturday Desember 21st 1839 The arm of the church met at the same Place Elder D. Parker Mo. Elder Briten Present and there being no business before her . Adjorned

Saturday, January 25 1840. The arm of the Church met at Dr S. Thompsons Meeting House and in order opened to business Elder D. Parker Mo. and Bro. John Grigsby Present with us

First The arm agreed to send by the hands of Brethren Parker and Grigsby, a Copey of the Prosedings of this arms to the Church of whom she is a Part

Ajorned

Isaac Ranfro Cl.<sup>1</sup>

D. Parker Mo

Saturday, March the 7th 1840. The Church met and in order Proseded to business

1st Received Brethren and Sisters by letters. (Viz) John Wilkenson and his wife Susanah, Nathaniel Morgan and his wife Winney Morgan and Thomas Starr

2d. The Church agrees that at her next meeting she will on the Lord.s day, attend to the Communion at the Lord.s table, on the friday before, to fasting prayr and humiliation before the Lord, and on Saturday evening to the example of washing feet, at the House of Elder D. Parkers.

Ajorned.

John Grigsby Ch. Cl.

D. Parker Mo.

Saturday, Apriel the 11th 1840. The Church met and in order proseded to business Elder Wm. Britton Moderator Pro.

1st. The Church agrees to lay over her Communion until her next meeting in corse.

2d. Brother Isaac Parker from Houston County a member of this Church, made request, in behalf of himself and other Brethren and sisters of his Section of Country, That this Church clothe her ordained authorities, with legal Power and authoritey to Constitute them into a Church Capasety, in accord with the Regular Baptist Faith and order, and that in consequence of said Constitution taking Plase he requests letters of dismissal for himself and his wife (Sister Lucy Parker) Both of said Requests are granted by the Church, and the ordained authoretis of this Church are herby atherised and required to Proscad as soon as they reasonably can, to comply with said request in constituting said Brethren into a church Capsaty and regulating legal authorety amongst them, Calling to their aid in counsel all sound helps in the Cirkle of their

<sup>1</sup>In the original "Co."

power. (Provided, that upon Examination, they believe the glory of god, and good of Zion, will be the result of said constitution.) and report to this Church the result of their examination with the whole of their Prosedings

Ajorned

John Grigsby Ch. Cl.

Elder Wm. Britten Mo.

Saturday May 9th 1840. The Church met and in order Proseded to Business

1st. received Sisters Pheby Hassell, Saley Hassell and Emiley Redman, By letters

2d. The Church agrees, That, She having at her last meeting granted the Requets of Brother Isaac Parker respecting the Constituting of a Church in Houston County or his section of Country, and the granting letters of dismissions to himself and his wife That Elders Wm. Britten, Daniel Parker, and Garrison Greenwood, with the Deacons of this Church, Be the helps appointed on the Part of this Church, to officiate in the work and they are hereby appointed to act in behalf and by the authority of this Church, in giving letters of dismission to Brother Isaac Parker and his wife and also to all of the members of this Church in Houston County that may request letters, Provided the Committee think that their orderly conduct and sound faith merriits letters, and should it so turn out that all the helps hereby appointed should fail to attend to the Call and work herein designated, except one of the Elders herein named, The said one Elder is hereby authorised to act, Calling to his aid in Counsel all the helps in the Cirkle of his Power, and to perform all the work heretofore designated, and Report the whole of their Prosedings and acts to this Church, for her inspection, and approbation or disapprobation, Brethren lettered by said Committee should the act be approved by the Church shall be recorded on the Church Book as Dismissed by letter, The Clerk of this Church is directed to furnish said helps and Committee with a copey of these Records.

3d. The Church being informed by Elder Daniel Parker of the Proberable need of help by the authorety of this Church, in regulat-ing disorder amongst the Brethren, of the regular Baptist faith and order, by constituting Churches in gospel order, and regulating matters and things therein, In several parts of this Republic, Par-

ticularley in the counties of Nacogdoches and Montgomery, Therefore Elders William Britten Garrison Greenwood, and Daniel Parker all of them collectively or either of them seperately, Be and there<sup>1</sup> are hereby autherised by the authorety of this the Pilgrum Church of the Predistinarian Regular Baptist Faith and order, To do, and Perform all such matters and things, Presented to their view that they think the glory of god and good of his cause Church and People requires to be done, In constituting Churches, Regulating disorder in Churches, and in ordaining Deacons and Ministers of the gospell, etc calling to their aid all the helps in their Power, and make full returns to this Church of all their acts and doings for the examination and act of the Church

The Church is hereby directed to furnish the Brethren herein named with a copeny of these records

John Grigsby Ch. Cl.

(Ajorned)

D. Parker M. O.

Saturday, June 13th 1840. The Church met and in order proseeded to business.

1st. A Black man by the name of Thom. Presented a letter to the Church of recommendation from his master Mr. Wm. J. Hamb-litt, and informed the Church, That he was receved in to a Baptist Church at Barefeet meeting House, and was Baptised by Elder Luster, in the State of Tennessee, which some of the members of the Church knew, That he took a letter from that Church, and joined a Church in the western district Called Spring Hill Church, from which he took a letter, but from some cause, left his letter, and some of his close behind, with an expectation of getting them, but as yet has failed, The Church being satisfied, Received him into Fellowship, as by Relation, yet claimes the right to his letter should it come to hand

John Grigsby Cl.

Ajorned

Daniel Parker Mo.

No other Church meeting until Saturday, September 12th 1840 when the church met and in order opened to business.

1st. Elder D. Parker made the following Report from the arm of this Church

The arm of the Pilgrim Church at Dr. S. Thompson.s meeting

<sup>1</sup>They.

House, San Augustien County, Texas To the Pilgrim Church of the Regular Baptist faith and order of whom we are an arm. Dear Brethren, By Elder Daniel Parker We transmit to you a copey of our Records up to the date therein shone.

There being no meeting with us in Feburary we begin with Saturday, March 21st 1840. The arm of the church met Elder Parker Present, There being no business Ajorned

Saturday April 25th, 1840. The arm of the Church met Elder Parker Psent. There being no business Ajorned

Saturday may 23d 1840. The arm of the Church met Elder Parker Present. There being no business Ajorned

Saturday June 27th 1840. The arm of the Church met Elder Britton Present

1st. Brother W. D. Carrengton Presented a letter as Evidence of his right to fellowship in the Baptist Church, But as he was unsettled wished to retain his letter and come in with us, under our watch care, and he was accordingly received as one with us

Saturday July 25th 1840 The arm of the Church met in order Elder Parker Present. There being no business Ajorned

Saturday, August 22d 1840. The arm of the Church met. Elder Parker Present. There being no business Ajorned.

On Sunday, 23d, Received a Black woman by the name of Hannah by Experience, and Baptised her.

Isaac Ranfro Cl.

Daniel Parker, Mo.

The Church Received the Report with advising the Brethren of the arm and the Elders of this Church not to Received members in to the Church upon the Credit of their letter who refuse to give up their letters to the church, as distress and disorder might attend such a corse of things.

2d. Elder Daniel Parker made the following Report.

Dear Brethren In accordance with the duty enjoined on me and the authority invested in me by this Church (Being assisted by none of the other Brethren appointed by the Church) I proseded to Houston County, But did not constitute a Church there for reasons too tedious to mention. I prosed[ed] to Montgomery county,

where I found a church with about 20 members of the sound Regular Baptist faith and order who had been constituted by the best authority in their reach some time in the year 1838. With Elder Allin Samuel their Pasture and after Preaching amongst them for several days thereby cultivating an acquaintance, Believing it to be to the glory of god and good of Zion, on the 11th day of July 1840 with the assistance of Brother Isaac Parker a deason of this Church and in compliance with the wish of them Brethren, I proseded to examon regulate and legallize the constitution of them Brethren as a church in union with us (with their acts and doings from the time they were constituted upon the articals of faith upon which they were first constituted, finding those articals to be sound,— After which the church presented one of her members, Brother Ransom Allphin whom she had chosen to serve her as deacon, and called on Elder Samuel to form a part of the Presbytery Requesting Brother Allphin to be ordained to the work of a deacon, which after examonation we performed accordingly. This Church is known by the name of Mount Plesant Church of the Regular Baptist faith and order Your Humble Servant in Christian Love

Daniel Parker

Said Report was Receved and the work approved of.

3d. The Church being informed by Elder Parker That the Brethren of Mount Pleasant Church were willing to meet us on the Saturday before the third Lord.s day in October next, at Hopewell Church Nacogdoches County for the purpose of forming an associated Compact. This Church agrees to meet said Brethren, By messengers and letter, and for that Purpose, appoints Elders G. Greenwood D. Parker W. Britton and Brethren Eli Bowen, John Grigsby and Richard Eaton autherising said Brethren to form a part of the convention in Constituting an association (if thought advisable) on the Regular Baptist faith and order (Refering said Constitution to the Churches for aproveal) and then set in an associated Capasety.

4th The Church having Knowledge That Brother Thos. Star has been approved and ordained to the work of a deacon, agrees and calls him to serve this Church in that Office, and that her next meeting be communion at the Lord.s table.

Ajorned

John Grigsby Cl.

Daniel Parker Mo.

Saturday 10th of October 1840. The Church met and in order prosceded to business.

1st. Dismissed Brother William Harris and sister Annah Harris by letter.

2d. Read and approved the letter to the messengers of the Church when met at Hopewell Church Nacogdoches County for the Purpose of organizing an association

3d. Received a letter from Brethren in Houston County requesting our ordained authority to Constitute them into a Church Capasety Which request was granted

4th The Church agrees, That the authoritys invested in Elders Greenwood, Brittain and Parker, or either of them by her acts at her may meeting 1840, be and the same is hereby continued, and extended to the liberty and right, By the authority of this Church, To give letters of dismission to the scatered members of this Church when oppertunety and Duty requires it to be done, also to receive members by experience and Baptise then when they think duty and circumstances requires it to be done. Calling to their aid all the Brethren of our faith and order in their reach. And make returns of all their acts and doings to this Church.

Ajorned

Saturday November 7th 1840. The Church met and in order prosceded to business.

1st. Elder Daniel Parker made the following Report

Dear Brethren. In accordance with the duty Enjoined on me by this Church and the authority which she has invested in me I did, with the assistance of Brethren John Grigsby Isaac Parker and Elder Allin Samuel in council, Proceed on the 22d day of October 1840, to constitute a church in Fort Houston<sup>1</sup> in Houston County—on the articals of Faith that this church is united on known by the name of the Regular Baptist Church at Fort Houston. and gave up fore members of this church to said constitution (Viz) Stephen Crist Annay Crist Naney Falkenbury and Elizebeth Frost as formeley, but now (Delap) and I have also given letters of Dismission to Brother James Jorden and sister Lucindy Parker with the assistance in Part of Elders Greenwood and Brittian. We also

<sup>1</sup>Near Palestine in what is now Anderson County.

have organised an association and are Prepared to make a full report on that subject

Your humble servant in the gospel of Christ

Daniel Parker

2d The Church receid and approved of the foregoing Report and acknowledges the within named members of this Church to be legally dismissed

3d. Receivd the Report of the Brethren respecting the organing an association, and after examoning the principles, and Plans upon which the Churches have agreed to unite approve of the same—

4th This Church autherizes Brother Eli Bowin to exersise his gift in the bounds of this Church, in that way which [he] feals or believes the Lord Requires of him

Ajourned

Saturday, 12th of December 1840. The Church met and in order opened for business by appointing Brother Jeremiah F. White Clerk Protom. and there being no business before her

Ajourned

J. F. White Cl: Pro.

Daniel Parker Mo.

Saturday January 9th 1841. The Church met and in order proseded to business

1st Appointed Brother Thos. Star Clerk Protom.—

2d. Recevvd a letter from Scaterd Brethren in Sabine county Requesting the ordained authoritey of this Church to constitute them into a church Capasety. At the House of Tho. Harris on the Saturday before the first Sunday in Feburary next, as a day set apart by said Brethren for fasting and prayr on that solomn occation.—The Church agrees to compley with the Request, and clothes her ordained authorities with the authority and instructs them to attend and compley with the Request, Provided they find them Brethren ripe for constitution—And the said ordained authorities or that part of them that may attend are hereby autherised to give up any potion of the members of this Church to said Constitution that chose for conven[ien]cy to go into it and Report their Proceedings to this Church

3d. Elder D. Parker Reported that the arm of this church had done no business since her last Report to the Church except granting a letter of Dismission to Sister Elizabeth Ridgeway, and as most of the member[s] convenient to the arm had moved off, he rec-

omended the Discontinuing of said arm—The Church recived said Report and Calls in the authority given to said arm.

Thos. Starr Cl. Pro.

Ajorned  
D. Parker Mo.

Saturday Feb. 13, 1841. The Church met and in order proseded to business.

1st. As Brother Grigsby has moved out of the bound of the church at this place. The church appoints Brother Jer. F White clerk of the church at this Place.

2d. Elders D. Parker and Wm. Brittain made the following Report which was Receivd and approved by the Church.

The undersigned in accordance with their duty makes this Report to the Church That by the authorety invested in them by this Church. They did at the ho[u]se of Brother Theo. Harris in Sabine County Republic of Texas on the 7th day of this month, Constitute and Organise a Church of the Regular Baptist faith and order upon the artical of faith upon which this Church stands constituted and gave up to said Constitution Brother R. T. Gibson as dismissed from this Church

Feb. 13th. 1841.

Daniel Parker,  
William Brittain

3d. Elder D. Parker made the following Report, which was receivd and approved by the Church.

The undersigned in accordance with his duty Reports That by the authority invested in him by this Church, and at the Request of Hopewell Church in Nacogdoches County Republic of Texas, he did on the 15th or 16th day of January last ordain Brother Moses Waters (a member of said Church) to the office or work of a Deacon.

Daniel Parker.

Feb. 13th. 1841.

4th. At Request Granted Brother Samuel Little and his wife Sister Sarah Little letters of dismission.

J. T. White. Cl.

Ajorned  
Daniel Parker Mo.

Saturday March 13th, 1841. The Church met and in order opened for business, and there being no business before her—

Ajorned

Saturday April 10th. 1840.<sup>1</sup> The Church met and in order proseded to business, by appointing Brother Thos. Starr Clerk Pro.

1st. Agreed to attend to communion at the Lord.s table at next meeting, and that the friday before be set apart as a day of fast. and humiliation—Ajourd

Saturday May 8th. 1841. The Church met in oder, and there being no Business—Adjourned

Saturday June 12th. 1841. The Church met and in order by appointing Bro. Thos. Starr clerk Pro. tem, opened for business and there being none before her Adjourned.

Saturday July 10th. 1841 The Church met and in order proseded to business by appointing Elder, Wm. Brittain Clerk Pro.

1st. Recivd Brother John B. Roberts by letter, an ordained Minister.

2d. Instructed the clerk to prepare a letter to the association to be Read and approved by the Church at her next meeting.

3d. By Request letters of dismission granted to Sisters, Sophia Thompson, and Sylpha Renfrow. Adjourned.

Saturday August 7th 1841. The Church met and in order proseded to business.

1st. Elder Daniel Parker, Presented the minutes of this church at her meeting in Houston county, Commencing the Saturday before the first Lord.s day in July 1841, which is spred on Record at the close of this day.s prosedings

2d The Church agrees, that as she, the Pilgrim Church is about to confine her church meetings to her times and Place of worship in Houston county, and there being a number of her members who reside in this part of the Country, that for their advantage in Church Previdelges, That on the saturday before the first Lord.s day in September next, that she will Proseed to Constitute them into a Church Capasety, if then thought advisable, and that her sister Church at Bethel having at the Request of Elders D. Parker and Wm. Brittain, clothed her ordained authorities with legal Power to aid in said work. This Church approves of and ratifies the request for said helps and requests them to assist her in consti-

<sup>1</sup>This date should be 1841.

tuting a part of her members into a church capasaty, and appoints such of her ordained authorities as may not go into said constitution to officiate in the work.

3d. The Church appoint the friday before the first Lord.s day in september next a day of fast and Prayr to the god of Zion for his divine aid and direction in the important work she is entering into, and to attend to any church business nesessary to be done. On Saturday worship at ten oclock, attend to church business, and the Constitution and in the Evening, attend to the Example of washing feet, at the house of Elder Parker.s and on Sunday attend to the Lord.s supper.

4th. Read and approved of the letter to the association, but agree[d] not to fill the blanks respecing the number of members until next meeting, appointed Elders Garrison Greenwood and Daniel Parker, and Brother John Parker messengers to the association and the Church at this Place Contributes five dollars for printing the minutes, making in all ten dollars.

5. The Church Examoned and approved of a circular letter presented by Elder Parker, and Recommends to the association that it be attatched to the minutes—

Adjourned

J. White C. L.

D. Parker M. O.

Saturday 3d of July 1841. The Pilgrim Church of Regular Baptist[s], again met in Houston County at the House of Rëubin Brown.s her former place of worship, and in order proseded to Business, with Elder Parker moderator and by appointing Brother Isaac Parker Clerk Pro.

1st. Recevd Brother Luke Johnson and Sister Amanda Johnson by letters.

2d. The church agrees to revive her Church meetings in Houston to be held at her former times of worship. The Saturday before the first Lord.s day in Each month and that the Place of meeting be at the House of Brother Armsted Bennett.s

3d The Church at this Place contrebutis five dollars for Prenting the minutes of the association, and Requests that the association in 1842 be held with her.

4th The Church appoints Brother Armtsed Bennett Clerk of the Church at this Place—

Adjourned.

Isaac Parker Cl. Pro.

D. Parker M. O.

Sunday July 4th, 1841. The Church in order Received Sister Mary Blair by letter

A. Bennett, Cl.

D. Parker Mo.

Friday September 3d 1841. The church met In Shelby county and in order proseded to business

1st Brother Thomas Star Exhibeted the following charges against Brother A. B.<sup>1</sup>—Sustained by Elder D. Parker. Brother A. B., Debter to Brother Thomas Star which he has failed to Pay or settle according to Promis or Contract

1st For one wagon and harness exept one Bridle which said Star lent to said A. B., about the last of September 1839 in the state of Illinois which wagon and harness was by Promis to have been delivered to said Star, here in Texas in Shelby County, which as yet has not been done. Said wagon and harness cost the said Star in cash \$130.

2d. Said Star Paid to Thos. J. McKee for said A. B., sometime in the fore part of the year 1840, seventy five dollars, of which the said Star has Recivd eight or ten dollars in halling etc. leaving a ballance due him of at lest—sixty five dollars and said Star Clames a reasonable Compensation for laying out of the use of his rights or Property.

Brother Star having laboured with Brother A. B. by letter and with the assistance of Elder D. Parker to some extent and having failed [to] reach his right, or obtain satisfacion, Exhibits the following charges against the said Brother A. B.

First For failing to deliver the wagon and ha[r]ness according to Promis, or to Pay him for them, and failling to Pay that which is due him for what he the said Star Paid Thos. J. McKee for said A. B.

Second For moving off, without comeing to a settlement and executing his note or obligation as requested by said Star, so that he might be secured in his rights—

The said Brother Star agrees, That if the said Brother A. B. will return his wagon and harness to him making them as good as they was when he let them go, with something nere what is right for the time he has laid out of the use of them, and Pay him the

<sup>1</sup>These initials are substituted for the name given in the original.

amount he is due on Thos J. McKee account, Or Come to a full and fair settlement and execute his note in a way to secure to him his right in a reasonable time, That it will give him satisfaction or he will be Reconciled

Second. The Church at the request of her sister Church at Fort Houston, Houston County, authorises the ordained authorities of this Church to assist her in ordaining, a member of her Body to the work of a Deacon.

3d. Granted a letter of dismissal to Sister Hannah a Black woman living in San Augusteen County

J. White Ch. Cl.

Adjourned  
D. Parker Mo.

Saturday September 4th 1841. The Church met and in order Proseded to business

1st Brother Isaac Ranfrow exhibited a char[g]e aganst himself for drinking too much spirits some time in the spring, past, and used some hash expretions to Mr. Sanson in san August.<sup>1</sup> and made satisfactory acknowledgement, so that the Church is Reconciled with him. and at his request a letter of dismissal in full fellowship.

2. The following named brethren and sisters agreed to, and was set apart to be constituted into a Church capasety (Viz) John B. Roberts, William Brittain, Thomas Star, Jeremiah F. White, John Wilkenson, Thomas a Black man, and Sister Rosanah Brittain, and subscribed their names to the articals of faith upon which this Church stand constituted.

3d. Elders Asa. Wright and Robert Turner, ordained authorities from our sister the Bethel Church, having attended us with Church authority as requested by this Church, was Recevd by this Church in connection with Elder Daniel Parker, as a Presbytary to constitute the before named Brethren into a Church Capasety.

4th. Autherrised Elder Daniel Parker as moderater of this Church to give letters of dismissions to members of this church in this settlements, if Requested.

5. The Presbytary agreed to Constitute the before named brethren and sister into a church Capasaty upon the before named arti-

<sup>1</sup>San Augustine.

cals of faith, and the church gave up said Brethren into the hands of the Presbytery for to be constituted into a church capacity, and the presbytery proseded to perform the work, and said members was then dismissed from this church, and the Pilgrim Church stoped the prograss of her business and thus adjourned

J. F. White Cl.

D. Parker M. O.

Sunday 5th Sepr. 1841 By request gave a letter of dismission to sister Susanah Wilkinson which is notised in the Pilgrim letter to the asso.

D. Parker M. O.

In accordance with the authority vested in me by the church at her meeting 4th. September In Shelby County 1841 I have given letters of dismission to Sisters Emiley Redmon and Saley Hassell. November 1st. 1841—

Daniel Parker M. O.

Houston County Republic of Texas—

Saturday September the 4th 1841 The Church met at Brother Bennett.s Persuent to adjournment and in order Proseded to business by appointing Bro. Luke Johnson Moderator Protem.

1st. Brother Armsted Bennett exhibited the following charges against Brother Thomas C. Denson—

First, for Profain language such as Cursing and swaring

Second. for justifying himself in so doing, and refusing or neglecting to attend the Church meetings, and give satisfaction for such transgrations, of Religious order

2d. The Church took up the said charges, and appointed Brethren—A. Bennett, Isaac Parker, Thos. Lago, and Stephen Bennett, as a committee to wait on Brother Denson admonish him to his duty, and sight him to attend her next Church meeting.—

3d. The Church being impressed with a Belief That the Public Gift in Brother Luke Johnson is of grate utility to the Church and Caus of Zion, She therefore liberates the said Brother, to exercise the gift that is in him whare Ever his lot may be cast in what ever way he may feal his mind Impressed, or believe duty directs.—Adjorned in Peace.

Armstead Bennett, C. l.

Luke Johnson M. O. Pro.

Saturday October 2d, 1841 The Church met and in order proseded to business Elder Parker M. O.

1st. Took up the Refferencce respeting Brother Thomas C. Denson. Brethren A. Bennet and Thos. Lago of the Committee appointed to wait on Brother Denson, Reported, that they had visited the Brother and labored with him as directed by the Church, and that he had given them no satisfaction, Respecting Coming to meeting or the Church, nor otherwise.

2d. The Church Proseded to exclude Brother Thomas C. Denson from the fellowship and Preveledges of this Church upon the charges exibeted aganst him By Brethren A. Bennett and [Thos. Lago and] for neglecting to hear the Church.

3d Elder D. Parker Reported that he had assisted in ordination of Brother Joseph Pinson in our sister church at Fort Houston, to the work of a Deacon, as Requested by said Church, and direeted and authorized by this the Pilgrim Church, which work is approved by this Church

4th. Recd and approved of the letter to the association and appointed Elders G. Greenwood, and D. Parker and Brother A. Bennett to Bare the same and be our messengers to the association.

5th. Whareas the members of this church Residing in Shelby county has in Part Returned back in reach of this place of worship and in Part gone into a constitution in that Part of the Country, Therefore This Church Calls in her monthly meetings formerly autherised to be holden in in Shelby County, with the Priveledges connected therewith.—

6th. The Church takes into consideration the Propriety of Building a meeting House as a Place of divine worship and appoints Brethren Luke Johnson A. Bennett and Thos. Lago, as a Committee to look out and select the most sutable Place for that object and Report to next meeting—

Adjoined in Peace.

A. Bennett Ch. Cl.

D. Parker M. O.

On the Lord.s Day Oct. 3d 1841 Recevd Bro. Not. a coloured man by letter of Recommendation from several of his Brethren certifying his ordelly standing etc.

A. Bennett Cl.

D. Parker M. O.

Saturday December the 4th 1841. The Church met and in order Proseded to business.

1st. The committee appointed to select a place for a meeting house Reported That they had not as yet agreed on a Place nor made any selection upon which information, The church continued the same committee with Instructions to Report so soon as they are Prepared to do so, or are Called on by the Church.

2d. The Reference from the 3d. of September last in Shelby county respecting Brother Tho. Starr charges against Brother A. B., Taken up, and the following letter from Brother Starr was recevd which gave full satisfaction with Brother A. B.

“Thomas Starr, To the Pilgrim Church, of the Regular Baptist Faith and order—

[“]Dear Brethren. C. D. having settl[1]ed with me in Part by note, for the articals for which I held Brother A. B. accountable. Therefore I am Reconsiled with said Brother Respecting the charges exhibited against him at your September meeting 3d. day 1841 yet I hold him accountable for the payment of the note executed to me by his son C. D. October 31. 1841

Thomas Starr.”

3d. Owing to the scatterd sittuation of the members belonging to this Church. The Church agrees to hold two Church meetings in each month one on the Saturday before the first Lord.s day, at the House of Brother A. Bennett.s (or in that settlement) the Present Place of Public worship. The other to be held on Boxas Creek Burnett County, at the House of Brother Richard Eaton.s on the Saturday before the third Lord.s day in each month. and the day following at each Place. The Brethren on Boxas Creek To appoint a Clerk amongst themselves to keep a minutes of the Prosedings of the Church at that Place, who shall Report the same to the Clerk of the church at this Place at lest every three months, and it is his duty to have the same Placed in order on the Church Book.

4th. By request Letters of dismission are granted to Brother N. Morgan, Sister Winney Morgan. and Ruth Morgan. and the Clerk is instructed to prepare the letters of dismission

A Bennett Cl

Adjoined in Peace  
Daniel Parker Mo.

Saturday, Janary 1st 1842. The Church met and in order opened for business and there being noting before her Adjoined.

Saturday January 15th 1842. In accordance with order and provision of the Church made at her December meeting 1841. The Church met at the House of Brother Richard Eaton.s Burnett County and in order Proseded to business—

1st. Appointed Brother John Parker Clerk of the Church at this Place  
Adjourned<sup>1</sup>

Business done by the Church at Brother R. Eatons

Saturday January 15th. 1842 In accordance with an order and provisions of the Church at her December meeting 1841.

The Church met at the House of Brother Eaton.s Burnett County and in order Proseded to business.

1st. Apointed Brother John Parker Clerk of the Church when met at this Place  
Adjourned

Saturday Feburary 19th. 1842. The Church met and in order Proseded to business.

1st. The Church agrees to hold Communion at the Lord.s Table at this Place, two times each year (Viz) at her March and September Meetings and to observe the friday Preseding each communion season, as a day of fasting and Prayr  
Adjourned.

John Parker Cl.

D. Parker MO.

Saturday March 19th. 1842. The Church met at Brother R. Eaton[’s] and in order, opened for Business and there being no business before her.  
Adjourned.

Saturday Apriel 16th. 1842 The Church met at Brother Eaton.s and in order Proseded to business.

1st. Received Brother Benjamin Eaton and his wife Sister Malinda Eaton by letters.  
Adjourned.

Saturday July 19th. 1842. The Church met at Brother R. Eaton.s and in order Proseded to business

1st. The Church being informed that her help was wanted in organising or regulating a church at or about Mustangue Prarie in Houston County. She therefore appoints her ordained author-

<sup>1</sup>The record for January 15 is duplicated under the general head of “Business done by the Church at Brother R. Eatons,” which follows. This was probably due to some confusion in the clerk’s mind as to how the entries should be made.

ities clothing them with authorety to officiate in said work at any time, if wanted— adjourned.

John Parker Ch. Cl.

D. Parker M. O.

Saturday August 20th 1842 The Church met and there being no business adjourned.

Saturday December 17th. 1842 The Church met and [there] being no business, Adjourned.

Saturday January 14th. 1843 The Church met and there being no business Adjourned.

Saturday February 18th. 1843 The Church met and in order opened for business

1st. Appointed Brother Richard Eaton Clerk Pro tem. and there being no business Adjourned.

Saturday March 18th. 1843. The church met in order and there being no business Adjourned<sup>1</sup>

Saturday, March 5th. 1842. The Church met at Brother A. Bennett.s and in order Proseded to business.

1st. Granted letters of dismission to Brother Eli Bowen and his wife Sister Maryan Bowen

2d. The Church agrees to hold communion at the Lord.s table in this Place or settlement. at her regular meetings, in June and december in each year, and to observe the friday before at each meeting, as a day of fasting and Prayr—

3d. Recived Brother Isaac H. Pate by experence. Adjorned A. Bennett. Cl.

Saturday April 2d. 1842 The Church met at Bro. Bennett.s and in order Proseded to business.

1st Receivd Brother Lemuel Cooek by letter

2d The Church Hopefully believing That a mesure of the gift and spirit of the gospel is given to Brother Lemuel Cook She authiresses the said Brother to exercise said gift where ever his lot may be cast and in that way he may feal his mind divinely directed

<sup>1</sup>Here ends the record of business done at Richard Eaton's. The regular series of meetings recorded in the entries that follow is at A. Bennett's.

and the Clerk of the Church, is directed, at the Request or application of Brother Cook, to furnish him with a copey of these Records as evidences of the same

A. Bennett Ch. Cl.

adjorned

D. Parker MO.

Saturday April 30th. 1842 The Church met and in order Proceeded.

1st. Recvd Brother William H. Warren and his wife Sister Isabella Warren by letters.

3d. The Committee appointed by the church on the subject of bulding a Meeting Hose Reported a Place as selected by them on Reuben Brown.s land adjoining Benjamin Davis line, on a point of a Ridge, nere to and on the north side of San Pedro Bayou.<sup>1</sup> As a sutable Place on which to build a meeting House. And Mr. Brown being Present Prefered to donate to the church a sufficant quntaty of land at that Place for the youse of a Plase of Publie Worship, and to the Settlement for a School House.

3d The Church Recevd the Report of the Committee and agreed to build her Meeting House at that Place, and to Rase a subscription for that purpose, and Continues the same Committee under instruction to raise said Subscription Papers, for the Product of the Country to see what amount can be raised, that the Committee with the church may be better prepared to deturmon on what discription of a House she will be able to build. Agreeing that the said House may be occupyed as a School House until the Church or settlement is able to build a seperate House. and said Committee is further instructed to examen and designate the quantity of land nessesary for the Purposes intended and take a bond for the title of the same, and Report their Program and Prospects at next Church meeting with their Views of the discription of the House nessesary to be built at this time.

Adjorned.

A. Bennett. Ch. Cl.

D. Parker M. O.

Saturday June the 4th. 1842. The church met and in order Proseded

1st. The Committe on the subject of Building a meeting House

<sup>1</sup>A tributary of the Neches, in the northeast corner of what is now Houston county.

Reported as follows,—That they had got forty four dollars and eight days work subscribed for Building said Meeting House, and that they had Contracted Mr. Commical<sup>1</sup> to build said House for the amount subscribed, with the additional help which he has the prospect of getting from some individuals. The House is to be twenty feet square (The logs cut that length and balled) Hewed down inside and out. A Clabboard Rouff. A good Punchen flowre One door and one window. and a Pulpit four feet square. The Committe Recommended to the Church to take under consideration the Propriety of Building her meeting house on the Point of the Ridge on the north side of the Creek just below Reuben Brown.s farm as they now believe that it will be more to the advantage of the Church and settlement.

2d. The Church Received the Report of the Committee in their Program and arrangements in Building the meeting House, and agrees to change the Place of Building said House to the place recommended by the Committee, and continues the said committee under instruction still to designate the quantity of land necessary for the objects intended and to have the rights of the land secured to the Church and to act in Conjunction with Mr. Commical in examining the timber out of which said House is to be built, and if the timber will admit add four or five feet to the length of said House and to agree with the said Commical in the extra Pay, to be given for said extra labour etc.

3d. The Church Being informed By Brother William H. Warren.s Letter that he was an acting Deacon in the Baptist Church, agree to Call Brother Warren to serve the Church in that office.

Adjourned.

A. Bennett Ch. Cl.

D. Parker M. O.

Saturday July 2d. 1842 The Church met and in order Proceeded—

1st. Received Brother Joseph Crawford by experience

2d. The Committee to attend to the Building the meeting House not being Prepared to Report was Continued Adjourned.

<sup>1</sup>Probably intended for Carmichael.

Saturday August 6th 1842 The Church met and in order Proceeded.

1st. Receivd Sister Rebeca Pate as by letter.

2. Receivd Brother John A. Allison by Relation. The Brother informed the Church, That a difficulty had taken Place in the Church w[h]ere he was a member in the State of Arkansas, in which he thought himself hard Delt with, as the Church admitted worldly testimony. That he left the church and expected that he was excluded. That he himself had done wrong and wondered in dark under maney hard trials and temtations, and that he hoped the Lord forgave him, and blessed him with that spirit, so that he could freely forgive all the wrongs which had been done him and that he held no charge against the church, making such Christian like acknowledgment that was fully satisfactory to the church. . . .<sup>1</sup> the church that some information, went to say that the church to which he was a member did not now exist. That he had writen several letters, but had received no answer, and that he knew nothing certain on that subject.

3d. Elder Parker informed the Church, That himself and Brother Worren attended at Brother Isaac Parker.s at Mustangue Prarie, Saturday the 30th of July 1842, and in conjunction with Elder Samuels, and other in Private council, examoned into the constitution of the Church in that settlement and with but few exceptions found things correct, and Placeed things in order

4th Granted letters of dismission to Brother Isaac Parker, and his wife Sister W. Parker and Sister Pheby Hassell.

Adjourned.

A. Bennett Cl.

D. Parker M. O.

Saturday. 3d of September 1842. The Church met and in order Proseeded to business—

1st Instructed the Clerk to prepare a letter to the association for the inspection of the Church at next meeting—and appointed Elders D. Parker G. Greenwood and Brother Wm. Worren Barrers of the Church letter and messengers to the association, and agrees to send five dollars for Printing minuets

<sup>1</sup>Illegible.

2d The Church agrees that her meeting in futer be at hir Meeting House. Adjourned.

Saturday. october 1st. 1842 The Church met and in order Proseded—

1st Appointed Brother John Parker Clerk. Pro.—

2d. Red and approved of the letter to the association, and appointed Bro. Lemuel Cook a messenger in case of failure of any other of the Brethren appointed.

3d. The Church autherises the opening of her door for Reception of members any time during the setting of the association, by calling the church together in order by the moderator.

4th. The Church autherised Brother Isaac H. Pate to exercise the gift he think the Lord has given and Required of him. In the bounds of the church in that way he thinks is Requires<sup>1</sup> of him.— Adjourned.

John Parker Cl. Pro.

D. Parker MO.

Saturday November 5th. 1842 The Church met and in order Proseded—

1st. Agreed to hold our church meetings through the winter season at Brother Armstid Bennett.s. Adjourned.

Saturday Decem. 3d. 1842 The church met and in order Proseded.

1st. At the Request of sundray Brethren on Roses Bayou etc Houston County Appointed Brethren D. Parker. A Bennett John Allison and John Parker a Committee to set with the authorety of this church on this day week at Brother John Allison.s to Receive members into this church by letter or Experience, and Report their proseding to the Church.

2d. The Church being unpr[ep]ared to attend the communion at this meeting agrees to hold communion at the Lord.s table at next meeting. Adjourned

A. Bennett Ch. Cl.

D. Parker MO.

<sup>1</sup>Required.

Meetings held at A. Bennetts<sup>1</sup>—

Saturday, December 31st. 1842 The Church met and in order  
Prosceded

1st. The comittee appointed at the last meeting made the following Report which was Received and approved of by the Church—

In accordance with the orders of the Church, December 3d, 1842. The committce then appointed, Sat as directed by the authority of the Church, at Brother John Allison.s on the tenth day of the same month, and Recivd as members of this Church, Brother Thomas Lenards and his wife Sister Sarah Lenards by letters.

Armsted Bennett Ch. Cl.

Daniel Parker, Mo.

2d. There being no other business

Adjourned in Peace.

A. Bennett Cl.

Daniel Parker Mo.

Saturday February 3d. 1843. The Church met and in order  
opened for business and there being none— Adjourned

March, 4th. 1843. The Church met and in order Prosceded to  
business

1st. Agreed that her next meeting be at the meeting House—  
Adjourned

Saturday April 1st. 1843. The church met in order, and being  
no business— Adjorned.

Saturday May 6th. 1843 The church met in order and being no  
business Adjorned.

Saturday June 3d. 1843. The Church met and in [order] Pro-  
sceded to business

1st. Receivd Brother Reuben Brown by Experience.

2d. The church viewing that her citation requires the work of another deacon, takes the subject under consideration, and agrees that at her next meeting she will try to select some Brother to fill that office acting in conjunction in her vots with the church when seting at Brother Richard Eaton.s— Adjourned.

A. Bennett Ch. Cl.—

D. Parker MO.

<sup>1</sup>Probably because the new church was not ready, as had been expected. See the entry for September 3, 1842. above, and that for March 4, 1843, as well as the title for the meeting of September 2, 1843, and the entry for November 4, 1843, below.

Saturday July 1st 1843 The Church met and in order Proseded to business

1st Agreed to lay over the vote in selecting a deacon untill next meeting and [there] being no other business Adjourned.

Saturday August 5th. 1843. The church met and in order Proseded

1st. Recceid Sister Hannah Stoe by letter.

2d. The church at this Place Proseaded to Vote for a deacon but the vote was not made known, until the question is acted on by the Brethren on Boxas Creeke.

3 Granted a letter of dismission to Sister Pheby Wells (formely Pheby Parker[]) and the clerk Prepare the same—  
Adjourned.

Church Meeting at or on San Pedrow Bayou.

Saturday September 2d 1843. The Church met and in order Proseded to business.

1st. The moderator informed the Church that by the Vote of the church on Boxes creek and at this Place Brother Benjamin Eaton is chosen to fill the office of a deacon, and that his ordination to that work is to be on the friday before the third Lord.s day in this month.

2d. The church instructs the morderator to Prepare a letter to the association for the inspection of the church at her next meeting, and agrees to send five dollars for Printing the minites of the asso-  
eiation—  
Adjourned.

Saturday November 4th 1843. The church met and in order Proseded to business

1st. The church agrees to move her meetings to Bro. A. Ben-  
netts during the winter season—

2d. The church, being informed that her sister church at fort Houston has taken under consideration the Propriety of ordaining Brother Lemuel Cook to the work of the ministry. The said Brother being a member with us; agrees to take the same subject under consideration and refers the conclusion hereon until her next meeting—  
Adjourned.

Saturday December, 2d. 1843 The church met and in order Proseded

1st. Took up the Reference from last meeting Respecting the ordination of Brother Lemuel Cook to the work of the ministray and being informed that our sister church at Fort Houston had withdrawn her consideration on that subject which Presents to view, that there is some objections in the minds of that church to the ordination of Brother Cook—Therefore this church think it not advisable to Prograse in the ordination of Brother L. Cook to the work of the ministray, without the andvice and consent of her sister churches. Agrees to drop any further consideration on that subject at the Present. Still considering Brother Cook autherised to exercise his gift as heretofore liberated to do.—

Adjourned.

Saturday February 3d. 1844. The church met and in order Proseded

1st. Granted a letter of dismission to Brother Lemuel Cook and the Clerk instructed to Prepare the same—

Adjourned.

Saturday, March 2 1844 The church met and in order Proseded to business

1st Agreed that our next meeting be at the Meeting House. There being no other Business—

Adjourned.

Saturday April 6th. 1844 The church met and in order proseded to business.

1st. The church agrees to take under consideration Brother Isaac Pate.s gift, for the Purpose of coming to a conclusion as to what is right or best to do with it, and agrees to lay over the subject until next meeting—

Adjourned.

(Church meeting at Bro. R. Eaton's).

Saturday, April 15th. 1843 The Church met in order and [there] being no business—

Adjorned.

Saturday May 20th. 1843 The church met and in order proseded—

1st. By Request of E. F., and on motion investigated the marage of said E. F. to M. L. and the church is of opinion that the Parties had a lawfull right to come together in matrimoney, as it appears to this church from all the information she is able to get that the

former woman said E. F. was married to was the wife of another man<sup>1</sup>

2d. Received Brother Fredrick Blanchard and his wife sister Delphay Blanchard by experience.

3d. The church believing that she needs the service of another deacon agrees that at her next meeting to select a Brother to serve the church in that office, acting in conjunction with the church when setting on San Pedro Bayou.

4th. The church agrees to Build a meeting House, and appoints Brethren Benjamin Eaton, Stephen Bennett, and John Parker, to select the Place to Build said House and to Report the same next meeting, with their Views of the Plan of said House and the means and ways of building it

5th. Houston County Republic of Texas. The Pilgrim church of regular Baptist faith and order To whom it may concern sendeth Greeting

Whereas this church believes the constituting of churches and ordaining officers therein Requires church authority, which should be observed, with strict attention, that Peace and good order may be Preserved throughout our union: and whereas this church is informed that church authority is wanted nere the Naches River Perhaps in the east Part of Liberty county and perhaps else where: to Place Brethren of the Regular Baptist faith in good order. Therefore this Church Renews the right and authority of Elder Daniel Parker to constitute churches and ordain deacon[s] and ministers of the gospel clothing him with the rightfull authority to officiate therein when and where he thinks the glory of god and good of Zion Requires it to be done, calling to his aid in counsel all the assistance in the cirkle of our union he can Reasonably do cautiously guarding against infringing on the rights of sister churches, and Report to this church all his acts and doings in the exercise of the Rights and Powers with which he is hereby clothed, and the clerk is hereby instructed to furnish Elder D. Parker with a certified copey of this act of the church. Done at our meeting of business May 20th. 1843.

Adjorned.

John Parker Cl.

Daniel Parker MO.

<sup>1</sup>The initials in this and subsequent paragraphs relating to the same subject are substituted for the names given in the original.

Meeting at R. Eaton's.<sup>1</sup>

Saturday, June 17th. 1843 The church met and in order Proceeded

1st. Appointed Brother Lemul Cook Moderator Protem.

2d. The committee to whom was Referred the subject of selecting a Place for Building a meeting House, Reported two Places to the Church for her to select one out of the two. One on Dickerson Parker.s land south east side of the creek,—the other on elder D. Parker.s land same side of the creek, on the road leeding from Crockett to Fort Houston Both well supplied with spring water and convenient to building timber. Said Committee Recommend that the House be 18 feet by 20 feet and that the logs be hued before raised

The church Refers these subjects until her next Meeting—

3d. The church lays over selecting a Deacon until her next Meeting—

Adjourned.

Saturday July 15th. 1843 The church met and in order Proceeded to business with B[ro.] A Bennett Clerk Protem—

1st. The church agrees to build her meeting House on Dickerson Parker.s land, the Place selected by the committee—and conkers with them in the size and way of building the House

2d. the church lays over the reference respecting the selecting of a deacon until next meeting

3d Elder D. Parker made the following Report which was Resevd and approved by the church

Beloved Brethren. It becomes my duty in submission to the legal authority of this church, to inform her that in the exercise of the authority, with which she has clothed me That on the 3d. Day of this Instent (July) I Regulated legalised and organized a church of about 20 members on Wolf Creek in Liberty County Republic of Texas upon the same articals of faith upon which this church stands constituted calling to my assistance in council Brethren William H. Whiteson, Joseph Stefeson and Thomas Baty from a regular Baptist church in Jasper county called Harmony Daniel Parker

Adjourned.

A. Bennett Cl. Pro.

D. Parker Mo.

<sup>1</sup>This is written at the top of the page on which it occurs, but its proper place seems to be where it is inserted here.

Saturday August the 18th, 1843. The church met and in order Proseded

1st Agreed that their meetings hereafter, until otherwise directed, be held at the House formerly occupied by Josiah Culp.

2d. The church by her Vote, including the Vote given by the church on San-Pedrow Bayou, Selects or appoints Brother Benjamin Eaton to the work or office of a deacon in this church.

3d. The church appoints the ordination of Brother Benjamin Eaton to the work of a deacon to be Performed on the friday of her next meeting in couse, as a day of fasting and Prayr for that Purpose, as well as for the Purpose heretofore designated—and agrees to Request her sister church at Fort Houston to send her ordained authorities to assist this church in said work of ordination, and the clerk is instructed to prepare a letter for that Purpose, and Elder Parker [to] bare the same, and this church also appoints her own ordained authorities to form a part of the Presbytery in orda[in]ing Brother Benjamin Eaton to the work of a deacon

Adjourned

John Parker Ch. Cl.

Daniel Parker Mo.

Friday September 15th. The church met and in order took up the refference respecting the ordination of Brother Benj. Eaton to the work of a deacon, and but five helps having met, agreed to lay over the work of ordination until tomorrow.—

Adjourned.

Saturday September 16th. The church met and in order Proseded to business with Brother A. Bennett Clerk Pro.

1st. Took up the Refference from yesterday and Elder Daniel Parker and Brethren Richard Eaton and William Worren ordained deacons of this church—and Brother Stephen Crist an ordained deacon of our sister church at Fort Houston, being present this Church Received them as a Presbytery, and Presented Brother Benjamin Eaton for ordination, and the said Presbytery Proseded to the ordination of the said Brother Eaton to the work and office [of] a deacon.

2d. Proseded, in connection with the votes of the church on San Pedro Bayou to appoint Brethren, D. Parker, G. Greenwood

and William Worrin, and in cases of failure of either, A. Bennett messengers to the association and barrers of their letter.

Adjourned.

Saturday October 13th. 1843. The church met and in order Proseded—

1st. Appointed Brothe Lemul Cook Moderator Protem.

2d. The church took up a charge against sister M. L. for disorderly conduct, and refusing or failing to give satisfaction to the church and refers the case until next meeting.

3d. Received a letter from our sister church at Mount Plesant. Requesting helps to look into their situation and assist them in any difcilty or disorder that may be found amongst them: which request was granted, and, and our ordained authorities to act thereon

Adjourned.

Saturday Novr. 18th. 1843. The church met and in order Proseded

1st. Took up the Refference respecting Sister M. L. and laid it over until next meeting.

2d. The church agrees to hold her next meeting etc at Bro. R. Eaton.s

3d. The church being informed that her sister church at Fort Houston had taken under consideration the Propriety<sup>1</sup> of ordain-ing Brother Lemuel Cook, a member of this church, to the work of the Ministrey agrees to take the same subject under consideration and lay over the answer thereon until her next meeting—

Adjourned.

Saturday December, 16th 1843. The church met and in order Proseded—

1st. The case of sister M. L. take up and finding the charges against her Predicated in Part upon Report of a Very imprudent and immorral carrector—and that the Regular course of gospel order with the sister has not been fulley attended to, The church agrees to lay over the case until next meeting and appoints Brethren Benjamin Eaton and Daniel Parker with such of the members of the church as they may think advisable to call to their aid—as a

<sup>1</sup>Propriety.

committee to examon into the case, and admonish the sister to her duty in all cases wherin they find she has Sinned, and Report to next meeting the facts so far as they are able to attain to, as pertaining to the cause of grief.

2d. Took up the Reference Respecting the ordination of Brother L. Cook and being informed that our sister church of Fort Houston had withdraw the subject from her consideration which show, that, that church has some objection to the ordination of Brother Cook to the work of the ministrey, and thinking it not Prudent to Prograce in the work of ordaining any of her members to the work of the ministrey, without the advice and consent of her sister Churches so fare as oppertunity Permits, Agrees to drop any further consideration on that subject at Present. Still considering Brother Cook autherised to exercise his gift as heretofore liberated to do.—  
Adjourned.

Saturday January 20th. 1844 The Church met and in order Proseded

1st The committee on sister M. L.'s case informed the church that they had neglected attending to their duty in that case and reques[t] the indulgence of the church until next meeting, which was granted and the case continued, and the committee instructed to report next meeting—  
Adjourned.

#### Church Meeting at R. Eaton [’s]

Saturday February 17th. 1844. The church met and in order Proseded—

1st. The committee on the case of sister M. L. made the following Report— We your committee, To whom was refered the case respecting sister M. L.: Will inform the church, That having examoned into the Reports against sister M. L. morral carrector, Have but found from the information of sister Poley Eaton that according to her understanding by the talk acts, and doings of sister M. L., that she (Sister M. L.) did try and got her husband to go off telling him that if he would go and get a plase that she would come to him when she did not intend going as by her statements to others, bnt her object appered to be to get her husband away with an intention to take up and live with another man—your committee has visited sister M. L. on the case and find such

an apprant misunderstanding between the sisters that we are unable to determan the case and make a decisive Report until we can get the sisters together. That sister M. L. situation dose not admit of her attending at this meeting, but if nothing in Providence Prevents she says that she will be at the next meeting Therefore your committee Recommend that the church lay over the case with instructions to the committee to Persue the case or subject until they are further instructed or Prepared to make a conclusive or satisfactory Report—

Benj. Eaton

D. Parker

Comm.tt

2d The church Recivd said Report and the case laid over with the instructions according to the report of the committee

Adjorned

J. Parker Cl.

D. Parker Mo.

Saturday March 16th 1844 The church met and in order Per-seded

1st. Took the Reference respecting sister M. L. and The committee to whom the case was Referred. Reported, That they had got the sisters together. That the misunderstanding between them being corrected so that by sister M. L. acknowledging her faults, in her imprudent jestings, and sometimes her ungarded conduct, a Reconsiliation took Plase between the sister [s] in accordance with the will, and advise of your Committee. Adjourned.

John Parker Cl.

Daniel Parker Mo

Church Meeting at R. Eaton.s

Saturday Apriel 20th 1844. The church met and in order Pro-seded

1st. The church being informed that Perhaps Church authority was nessesary in Mountgomery county, or wanting, to organize a church or churches and perform the work of ordination, and wishing to observe with attention the true order of the gospel church authority. This church Renews the right and authority of Elder Daniel Parker which from time to time he has been clothed with by the authority of this church, to constitute churches and Perform the work of ordination when and where he think[s] the glory of god and good of zion requires it to be done. Making it his duty,

to make due returns to this church, of all his acts and doings under this authority. The church still holding Elder D. Parker accountable for any abuse of the Powers or rights invested in him by this church. Being no other Business Adjourned

Saturday, May 18th 1844. The church met and in order Proceeded. etc.

1st. Received, Sarah Ellen Eaton By experience and Adjourned  
Saturday June 15th 1844 The church met and in order Proceeded to or opened for business and there being none— Adjourned.

Saturday July 20th. The church met and in order Proceeded

1st. Elder Daniel Parker made the following Report which was Received and approved by the church—

Daniel Parker—To the Pilgrim church of the Regular Baptist faith and order.—Beloved Brethren. In exercising the authority invested in [me] by this church.—It becomes my duty to Report to the [church] that on the 12th day of June 1844, (calling to my assistance in council Brother David Barrett Deacon of our sister church at Mustange Prairie church and Brother James W. Parker a member of the Mount Pleasant church) I Proceeded to constitute [a church] in Montgomery county upon the articles of faith of this church and the union to which she stands Related, Including ten members and after the church was constituted she Received three members by experience and the church Presented Brother Samuel Little to the Presbytery to be ordained to the work of a Deacon, which I Proceeded to do with the assistance of the before named Brethren, and on the next day at the Request of the church, the Presbytery ordained one of her members to the work of the ministry by the name of George Daniel and I Baptised the three members Received the day before. The church distinguishes herself by the name of the San Jacinto church of the regular Baptist [faith and order]. And [it] further becomes my duty to Report to the church, that acting in conjunction with Elder George Daniel and other Brethren appointed for that purpose by the San Jacinto church Proceeded as Presbytery on the 15th day of June 1844, at the Request of the Mount Pleasant church, (Finding her in good order and her members in fellowship one with another yet in our opinion not able to maintain the order of a church to the Honour of the cause of Zion,) to dissolve the constitution of the said Mount Pleasant church,

and gave letter[s] to her members certifying their faith and order, and autherising them to joine any other church of the Regular Predestinarian faith and order—and I now submit all my work to the church for her approbation or disapprobation— Adjournd.

John Parker Ch. Cl.

Daniel Parker Mo

Saturday, Augt. 17th 1844 The church met and in order Pro-  
seded—

1st. The church being informed of the cituation of the Bethel church in Sabine County, constituted by the authority of this church and of Brother R. T. Gibson. who was a member with us and given up to the constitution of the said Bethel church agrees to give Brother R. T. Gibson a letter of dismission after the following form, which is explanitory of the whole matter or subject

Republic of Texas Houston County

The Pilgrim Church of the Regular Baptist faith and order—  
To whom it may concern—This is to inform you—that on the 7th. day of February 1841, A church know[n] by the name of Bethel, in Sabine county, was constituted by the authority of this church. That that church agreed in her constitution to unite in union with the Churches, in or of the Union association of the Regular Baptist faith and order, from whom she had Receivd her authority and Right full Power [of] action as a church, or otherwise return or surrender her authority as a church, to the said churches of the Union association from whom she had Receivd the Power of action. That Brother R. T. Gibson, who was a member with us, (the Pilgrim church) was given up to, and was one in the constitution of the said Bethel church with this View of things. That the said Bethel church, having failed to unite with the churches composing the Union association in accordance with her constituted agreement and obligation, We consider that she has thereby forfeited her constitution and right of existenc as a church from us and therefore we clame, Brother R. T. Gibson as falling back to us, as our member, and more Particularly, as said Bethel Church has united in an associated compact with churches with whom we have no fellowship. Believing them to be unsound in the faith and in a state of Disorder, with this View of the things we feal autherised to say that Brother R. T. Gibson is in good stand and full fellowship with us, and he is hereby dismissed from us when joined to any other

church in union with or of the Regular Baptist faith and order. Being well aware that the said Bethel church has assaid to have excommunicated the said Brother Gibson Perhaps for hard sayings against some of his Brethren, or members of said Bethel church and for failing to hear the church or give satisfaction. Which exclusion we think nul and void, in as much as that church has forfeited her constitution she had no right nor Power to exclude our member, and as Bro. Gibson appers to have been the only member of that church who seems to have regarded with attention the faith and order of the authority that constituted that church, he had no doubt justifiable grounds of speaking hard of the church and some of her members in as much as he had exebited charges against a member of that church no dout for the Purpose of preserving the faith and order of that church which charges the church refused to take up and act upon, but went on to the surport of error and disorder in Violation of her constitution. Therefore Brother Gibson, while he remained sound in the faith, a regarder of good order and an honest man, cannot return with an acknowledgement of having done wrong, except he should have used the expressions under the influence of an improper spirit which though they be truth is not in accordance with the spirit of Christ and deserves a Re-proof.—

Adjourned.

John Parker Ch. Cl.

Daniel Parker Mo.

Saturday Sepr. 14th. 1844. The church met and in order Proceeded

1st. Read and approved of the letter to the association, and appointed Elder G. Greenwood D. Parker and Brother Armsted Bennett, (and in case of falure Brother Wm. Warren) Barrers of the letter and messengers to the association acting in conjunction with the Vote of the church on San Pedrow Bayou, and the church agrees to send (from this Plase) two dollars and fifty cents, making up five dollars as agreed on by the church when setting on San Pedrow Bayou.

2d. Recevd a letter from our sister church at Fort Houston Requesting our ordained authoritys to assist her in Restoring Bro. Hanks to his ministerial Function, which Request was granted.

Adjourned

John Parker Ch. Cl.

D. Parker Mo.

Church meeting on San Pedro Bayou.

Saturday May 4th 1844. The church met, and in order Proceeded

1st. Took up the Reference Respecting Brother R. S.'s<sup>1</sup> gift and lays the matter over until next meeting—and

Adjourned.

Saturday June 1st 1844. The church met and in order Proceeded

1st appointed Brother James W. Parker Moderator Protem.

2d Took up the Reference Respecting Brother R. S.'s gift and the church is of opinion that it is not to the Honour of the cause of zion for Brother R. S. to exercise a public gift further than to sing and Pray and therefore requests him to lay down or stop the exercise of his gift

3d There being some difficulty in the minds of the Brethren respecting a Report which say that Brother R. S. neglects to Provide for his family but there being no gospel evidence to confirm the truth of the Report and Brother R. S. affirming that [he] has Plenty to support on and that he uses his best endeavors to maintain his family, The church acknowledges satisfaction with Brother R. S.

4th. Brother James W. Parker from our sister, the Mount Pleasant church, in behalf of said church Renews the Request of said church made last fall to this church for helps to look into their situation and this church agrees to comply with said Request, and appoints Elder Daniel Parker and Brethren A. Bennett R. Brown J. Parker B. Eaton J. Crawford, them or any of them to attend to the request of said church, as helps and directs the clerk to write to said church inforeming her of the same.

5. having no ordained authority to administer the ordin[an]ce the church lays over her communion until next meeting—

Adjourned.

Saturday, July 6th. 1844. The church met and in order Prepared for business by appointing Brothe[r] L Johnson Moderator Protem.

<sup>1</sup>These initials are substituted for the name given in the original.

1st. Examined and approved of the Record of last Meeting.  
There being no other Business— Adjourned.

Saturday August 3d. 1844. The church met and in order Proceeded to open for business. There being none. Adjourned.

Saturday, August 31st. 1844. The church met and in order Proceeded—

1st. Instructed the moderator to Prepare a letter to the association for the inspection of the church next meeting.

2d. The church at this Place gave her vote for messengers to the association That when the vote of the church when setting on Boxas creek is taken in connexion with the Vote given here [it (?) ] will [show (?) ] who is the Messengers of the church to bare their letter to the association and the church at this Place agrees to send two dollars and fifty cents for Printing minuts with an expetation that the Brethren of Boxes creek will send the same amount making five Dollars.— Adjourned And the church on the Lord.s day Sepr. 1st 1844 granted a letter of dismission to sister Rebeca Pate and instructs the moderator and clerk to prepare and furnish her with the same

Saturday March the 1 1845 The church Met and in order Proceeded to business

1st received A request from our cister church At Fort Houston requesting ovr ordaind Authorities to assist her in constituting of A church which request was granted Adjourned.

John Parker Ch. Cl.

T. Hanks MO.

January the 4th 1845 the Church Met And in order Proceeded to Business

1th Appointed Brother Luke Johnson Mod Protem

2 Agreed to call on Brother Thomas Hanks to attend us as a pastor and brother A Bennett to Bear the same Ajourned

February 1st. 1845.

Church met and in order proceeded to business

1st Appointed Elder Thomas Hanks moderator.

2d. Requested Elder Hanks to take the pastoral care of this church which he consents to do.

3 The church agrees to hold two church meetings each month on the saturday before the third Sunday in each month, and Sunday following, on Boxes Creak. on Saturday before the first Sunday, and Sunday folling in each month, at the meeting House on San peddrose.

Adjourned in peace

Apriel 5th 1845

Church met and in order proceded to business

1st. Brother Blancherd came to the church and acknowledged to the church that he had been guilty of an error by becoming angry at Brother R. S., and acknowledged, that he had done wrong The church after hereing the whole matter and the acknowledgement of Brother Blanchard says she is satisfied with Brother Blanchard

2d. The church excluds R. S. upon the following charges,

1st. For not maintaining his family in a comfortable manner

2d. fer unlawfully taking into his posession Brother Blancherds oxen and fer unlawfull threats made on the occasion

3d. dismissed Brother Wm H Warren and sister Isabella Warren by letter

Adjurd in peace

May 2d A D, 1845

Church met and in order proceded to business.

1 no business appearing, The church read and recevd, the records of the apriel Meeting.

Adjourd in peace

May 3d. recevd M. P. Mead and Elizabeth Mead by exprience.

Boxes creak Apriel 19th 1845 Church met and in order proceded to business 1st appointed Br. Bowen Mo proteem

1 Recevd. Brother Samuel Little and sister Sarah, and Elizabeth Litle by letter.

3d. Brethren Richard, and Benj Eaton made report to the church, that they had, persuent to thear appointment, assisted in cnstituting a church at Mount Prairie,<sup>1</sup> report recevd.

4th. The church taking into consideration the great looss to this church, and the cause of zion through out our union in the Death of our well beloved Brother and Paster Elder Daniel Parker, who

<sup>1</sup>This should doubtless be Mound Prairie. See THE QUARTERLY, II 99.

has been called home from the walls of Zion by his Great Heavenly Master—We, the church agree to manifest (in part) our heartfelt Grief, by collecting the materials from the best possible source, and make out a brief Biographical Sketch of his life. That those who may live in time to come, may duly appreciate his worth, and our greet loss, and for that purpose we have appointed Brother John Parker who is requested to call to his assistance such authorities as he may deem fit, and prepare the same as soon as convenient, and have it ready for the approval, or disapproval of the church, that the same be ready for Publication in some of the Religious Newspapers of the U. S.

May 31st 1845 church met and in order proceeded to business.

1st Received Brother James W Parker by letter. Agreed to License Brother J W Parker to preach the Gospel, wherever his lot may be cast unlimited, directed<sup>1</sup> the clerk to give him a certificate of the same, and directed the moderator and clerk to sign the same and give to Brother Parker as his voucher of this act of the church

Saturday May 17th 1845 the church met and there being no business  
Adjourned

June 14th 1845 Boxes creak

Church met, after divine service proceeded to business.

1st. appointed Brother E Bowin moderator protem.

2d. The reference relative to the Biographical sketch of Elder Daniel Parker taken up, and as Brother Parker has not completed the same, agreed to lay it over till next meeting

No other business  
adjourned.

July 5th 1845

Church met and in order proceeded to business. 1st Took up the matter referred to the churches by the Associates relative to the reception of members, after full deliberation the church says she will receive members in future by recommendation instead of relation. Agreed to advise the next association of this act.

2d Received Sister Easter by recommendation

3d. The Biographical Sketch prepared by [by] Brother John Parker of the life of Elder Daniel Parker, presented, and on mo-

<sup>1</sup>In the original "directeered."

tion referd to a select commitee of five towit Elders Thomas Hanks, James W. Parker and Brethren John Parker Armsterd Bennett and Samuel Little, who are requested to report next meeting.

Adjourned in peace

July 19th 1845 the Church Met And in order procd to business

1 Invited viating [visiting] members to take seats with us Brothe Crist took his seat

2 Read and recevd the report of the commitee that was apointed at the last meting to examine the Biography written of the life and Death of Elder Daniel Parker Ordered the said Biography to be printed in the W. P. Ills.

3 agreed to hold our church meeting in future at the school House hear Brother Richard Eatons on the same day and under the same arrangements as formerly.

Adjourned in Peace

Sunday July 20th Granted Brother James W. Parker a letter of dismission and instructed the Clerk to prepare the same

August 2th 1845 the Church met and their being no business  
Adjourned

Saturday August 15th 1845 the Church Met and in order Pro-  
seded to business

1 Apointed Brother Eli Boin<sup>1</sup> Mod protm

2 Granted letters of dismission to Brother Richard Eaton cister Mary Eaton And cister Sary E. Eaton And in structed the Clerk to prepare the same

Ajournd

September 6th 1845 the Church Met and in order proseded to Business

1 granted Brother Thomas Lenard and wife letters of dismission and instructed the clerk to prepare the same

2 Apointed Brother John Parker to prepare A letter to the association and present at Next meting for in spection

Sept the 20th 1845 the church met and in order proceeded to business

1 apointed Bro Boin Mod Protemn

2 Apointed James W Parker Clk Protemn

<sup>1</sup>Bowen.

- 3 Read and received the letter to the Association
- 4 Agreed to Appoint the messengers to the Association to morrow agree to send \$400 for printing of the minutes

Adjourn

Oct 4th 1845 the church Met and in order proceeded to Business

- 1st chose Bro J W Parker Moderator Protm
2. Appointed Brethren J W Parker S Little and John Parker Messengers to the association
- 3 Received a letter from our Sister at Mustang Prairie Church requesting the Ministerial aid of Brother J W Parker and requesting his ordination agreed to take the same under consideration and act on it at next meeting

Adjourn in peace

Saturday Oct 18th 1845 the church met and in order proceeded to business

- 1 We acquiesce in the reference as on the Mother Church book relative to the ordination of Bro J W Parker
- 2 Agreed to give Bro J W Parker a letter of recommendation

Adjourn Thomas Hanks Mo

Saturday Dec the 20th 1845 the church Met and in order proceeded to Business

- 1 Opened a door for the reception of members and received Brother Charles Huffman and sister Martha Huffman by letter
- 2 Agreed that next meeting in course be at sister Parkers

Adjourn in Peace

Saturday March the 14th 1846 the church Met and in order Proceed to Business

- 1 Appointed Brother G A Boin Mod Protm
- 2 Agreed that in future our meeting be at the school house near Brothe[r] Hufmans

Meeting held at San Pedro

Saturday before the first Lords day in Nov 1845  
the church Met and in order proceeded to business 1st took up the reference relative to the request of our sister Mustang prairie church relative to the ordination of Brother J W Parker and Agreed to lay it over until next meeting

2 Agreed that Br[o]ther Mead serve as clerk in place of Brother Armsted Bennett

Adjourn'd

January meting 1846

the church Met and in order Proseded to business

1st granted Brother Garrison Greenwood A leter of Dismission and directed the clerk to prepare it and send it to him

2d took up the refference relative to the request of our sister Musstang prairie church relative to the ordination of Brother J W Parker The church unanimously agree to comply and appoints our next regular Meting for the time of his ordination agreed to petition our sisters Fort houston Sardes and Bethlehem churches their ordained Authorities to Assist instructed the clerk to prepare the letters to our sister churches Brother Hanks to bear the letters to Forthouston and Sardis Brother John Parker to Bethlemen

Ajournd in Peace

January 31st 1846 the church Met and in order proceed to Business

1st the church took up the refference relative to the ordination of Bro J W Parker Brother Hanks presented letters from our sisters Forthouston and Sardis refusing to comply with our petition for their helps at the time also A private letter from Br Biggs adviseing the church to Put off Brother Parkers ordination until after the next Union Association

2st agreed to lay it over until our Aprile meting

3d Brother J. W Parker informd the church that he had got angry and had even come verry near shooting a man The church After colleting all the information she was able on the subject says she is fully recosild with Bro Parker

Ajournd

Saturday Feb 28th 1846 The church met and in order preceeded to business

1 Apointed Brother J W. Parker Mod protmn

2 At the request of Brother J W. Parker the refference that stand on the church book for next meting is by this church indiffinitely pospond Apeintd Brother John Parker to write to our sister Musstang Paririe church and let her know what we have done and appointed Brother J. W. Parker to bear it

Ajournd

## Meting on Boxcs Creek

Saturday Aprile the 18th 1846

the church Met and in order Proce'd to Business 1 Apointed Brother E A Boin Mod Protmn

2 receivd Brother Joseph kennedy by recommendation evidenced by Brothren of our bddy Bro kennedy states that in Ills in a matter of diffieuty that took place in the church that he was a member of he hastily and with out meditation declard an unfellowship with the Church believing then that the course taken by the church was Illegal and incorrect this was what induced him to make the declaration he did that he is and has long since bin sorry for the couses he took and asks the church to forgive him upon his decleration and the recommendation of several of several of the members of this church that was knowing to the whole Matter who readily agreed to his reception thare fore this church receives him into full fellowship

3d Rescivd A letter from Elder A Biggs requesting a reply from this church to know whether this church was hurt with him or not Appointed Brethren James W Parke[r] John Allison Samuel Little and John Parker a commitee to Prepare a letter and report tomorrow or to the next meting said comittee to state to Brother Biggs that she thinks he ought to have give[n] the names of the Brethren as well [as] the ministry that he speaks of and request him to do so as soon as he can Ajournd EA Boin Mo Protm John Parker Clk.

Sunday Aprile the 19th opend A door for the reception of members and receivd sister Abigil kennedy by recommendation

2d read and reccivd the letter to Elder A Biggs

John Parker Clk

E A Boin Mo Protm

Saurday June the 20th 1846 the church Met and their being no Business Ajournd

Saturday July the 18th 1846 the Church Met and in order proced to business.

1 apointed Brother J W Parker Mod protm

2. receivd a letter from Elder A Biggs relative to the one sent by this church to him Agreed to lay it over subject to be cald up at any time

3. Agreed to petition sister Fort Houston church for the ministerial aid of Brother E A Boin Agreed that Bro John Parker write and convey the same to our sister Fort Houston church

Ajournd in Peace

Saturday August 15th 1846 the church Met and in order Proceeded to business

1 Apointed Brother E A Boin Mod Protm

There bing no business

Ajournd in Peace

Saturday Sept the 19th 1846

The church Met and in order Proceed to Business

1 Apointed Brother E A Boin Mod Proteemn

2 The church at this Place voted for Messengers to the Association that when the vote of the church when setting on sanpedr[o] is taken in conjunction with the vote given here we will know who is the Messengers of the church to bear their letter to the Association

3 The church Agrees to send 4 dollars for Printing of the Minuets

Ajournd in Peace

Meting at sanpedro

Saturday August 1th 1846

The church met and in order proced to Business

1 Apointed Brother E A Boin Mod Proteemn

2 Granted Brother and Sister Blanchard leters of Dismission and instructed the clerk to Prepare the same Ajournd in Peace

Saturday Sept the 5th 1846

The Church Met and in order proced to business

1th Brother Armsted Bennett informd the church that he had been overtaken in a fault by drinking too Much ardent spirits whare upon the church hearing the acknowledgement of Brother Bennett unasmously forgive him

2d Brother J W Parker states that he wrote a leter to sardis and Fort Houston churches which he acknowledges was not in strict church order for which he asks the forgiveness of the church said letter dated the 31 day of January 1846 the church receives the acknowledgement and says that she has nothing against him on that subject

3d Brethren Lumpkins and Reynolds from sardis church Ren-

dering a rason for the course she took with Brother J W Parker after due deliberation the ehureh says she is satisfied

4th Brethren Stephen Crist J Parker and S Little states to the church that her Petitionary letter to sister Fort Houston church was received and maid A matter of refferenee

5th appointed Brother John Parker to prepare A letter to the association and present to the next meting for inspection

Ajournd in Peace

T Hanks Mod

John Parker Clk

Saturday Oct the 3th 1846

The church Met and in order proced to business

1 Read and receivd the letter to the Association

2d Proced in connection with the vote of the church at Boxes Creek to Apoint Brethren James W Parker A Bennett and John Parker Messengers to the Association and Bearers of their letter

Ajournd P M Mead Clk

Sunday Aprile the 4th 1847

The church Met and opend A door for Members and receivd Brother Samuel Stuart and sister Jain Stuart by letter

Meting on Boxes creek

Saturday Oct the 17 1846 The church Met and in order Proced to Business

1 chose Brother J W Parker Mod Protem

2d Agreed to hold our next Meting at Brothe [r] John Parkers

3d Agreed that this church write and try to have appended to the minuets of our last association a peac inviting scrutiy in to the conduct of Bro J W Parker not that this church believes him guilty but that we believe the church has bin and continues to be unjustly implicated on his account as well we believe that Bro Parker['s] reputation has as unjustly bin assailed by those calling themselves Baptist and we believe Bro Parkers usefulness has greatly bin destroid by this unlawful course. Appointed Bro J W Parker to write the same and request him to report to morrow Ajournd

Sunday Oct 18th the church being organised read and receivd the letter preparad by Bro Parker and sent it by Bro Boin to Brethren Lumpkin and Reynolds to se[e] if they will apend it to the minuets of the Association

NEW LIGHT ON THE TAMPICO EXPEDITION.<sup>1</sup>

Goliad Texas February 22d 1836

Dear wife I at last have Came to an oppertunity to right a few lines to you. Nearly fore months has inlaspt sine I roate to you. It would take Several Sheats of paper to inform you the ups—and downs I have seen Sence I Last roate to you—the morning af[ter] I Roate to on the 6th of november I left N Orleans on Board of the Mary Janc a fine Shuner [schooner] for Texas as I Soposed with one hundred and fiftey men. My object of goin was to Build forts—the object of the men on Board was to Go to Texas to Volenteer in ade of the Caus of Libertey. So we proceeded down the River to the mout [mouth] and Came to anker. Jenaral Mehear [Mejía] Came forred and we Receved him. thare ware one hundred and three americans and 47 French the Mericans [Americans] ware divided into two companeys, one Cauld the Grenadeers—of which Mr Allen was Elected Capton—the other was Cauld the Sharp Shuters which—I must blush wen I tel you I was Elected Capton. You must think how my vanatey was Rased to find myself at the head of fiftey one men as there Commandor with the title of Capton Dedrick. We put to See all in good Spirits—we were at See about five days wen a Storm Came on and Blewe us to See Som distants out of our Cors—the men began to Gro

<sup>1</sup>The original of the letter printed under this title belongs to the records of the General Land Office of Texas (File No. 1079 Vouchers of the Court of Claims). It is accompanied by a sworn deposition dated Philadelphia, September 16, 1857, signed by John B. Pearce, which shows that they were filed to identify Mrs. Hannah Dedrick as the widow of the writer of the letter, George Dedrick. The object of this proof was to establish her right to land claimed as due him for his services to the Republic.

The letter is directed as follows:

Mrs H Dedrick  
Philadelphia  
No. 345 North Third Street  
Pennsylvania  
U. S.

Concerning George Dedrick the deposition says only that he emigrated from Philadelphia to Texas in 1835, and that according to reports from Texas he was among the victims of the massacre at Goliad, March 19, 1836.

In connection with this letter should be read "The Tampico Expedition," by Eugene C. Barker, *THE QUARTERLY*, VI 169-186.

oneasy were [as to where] we ware goin—we was Bound to Bratorah [Brazoria] wen we Started in[to] Texes, but we was informed that we ware a goin to Tampeco in Mexico. We would have to Lan But we Should Shurley take the town without much troble wen we would get plenty of Gold. with theas and maney more fair promises we at Last Consented to go for there [was] no other alturnitive for us. on the 14h. of Said month 8 days from N Orleans the Land hove in Site. about for [four] oclock the Steme Boate hove in Sight to toe us into the mouth of the River. We had all our arms in ordor and Readey for action. the Steme Boate Came Long Side we then open our ports and Shew we ware a man of ware in Sted of a trader. thay ware all freited [frightened] to death to See ho [who] we ware. the Capton of the Steamboate was a Mexican. he was ordered on Board and Bribed to take us over the the Bar. in about one houer af[ter] things ware arranged thare Came on a tremendous Storme. the Schuner was drove on the Brakers and Soon a Ground on one of the most dangers [dangerous] places on the Gulf of Mexico. Night coming on and tremendios darke, the See Runing over us every swell the Schuner fast filing and nothing but death Before us—Wat was to be dun was the enquirey of every one on Board. We Shal all be drowned. but Kind providence Caused it to be other wise for us. the Storme Continued to a tremendous Rate and Blew us on to the Shore forther until we was fas [fast] a ground, about 4 feet of watter in the Caben and every man nearly drownde. I will not hear paint my felings my dear wen the thoughts of never Seeing you nor my dear Son [were forced on me]. I stop. Judge that for your Self. We Soon found our Self under the guns of the fort which mounted 3 Long 24 ponnd Cannons—with 24 men to mand [man] them. the Capton of the Cuner [schooner] with Capton Allen Jumpet [jumped] into the Long Boate which was Lanchd and manded [manned] with Six Salors and was deturment [determined] to make the Shore or die in the attempt. thay Lanchd into the Sec and was Soon out of Sight. we was then orded to thow all our Cannon over Board and watter [water] and all other articals that could be moved from the Schuner to Lighten her So that She mont [might] drive farther on Shore. After Space of one hour the boate Returned with all hands and 4 Spannards. the fort

Serended [surrendered] without firing a Single gun. Tha [they] brought Glad tidings to the unforehanet [unfortunate] they tolded us of their Succes and informed us with in two hundred yards we Could wade and that they would Run out a Rope to the Shore which would be our gide to the beach which was Soon dun. with [the] tide on our Back we Commenced Landing By Jumping into the See and taken holt of the Rope and So we made the Shore. all the men got Landed about 12 oclock at night wet and perished without enney Clothing to Change. we marched in to the barickes where we built up a Large fier and dried our Self as well as we Could. Morning Soon arrived. we found our Self Sorounded By Spaniards but frendoley on a purfit [perfectly] barren Shore in the hart of a inomey's Cuntorey with out one mouthful to eight with out Clothing—Except what Little we braught from the Solders which was not much. Tampico Lays about 9 miles from the mouth of the River. We Remained thare during the day the Jenaral [General] ordered us to be in Readanes to march at 5 oclock to take the Town of Tampico which would be dun with out much troble. we Set of with 150 of our men Joind By about 50 Spannardes. We traveled about fore milds then entored the woods Crosed the mountains with Som men of the Cuntorey for our gides. Eighteen or twenty miles before we Reached the town tired down nearley charked [choked] to death for wattor and hunger with fatig. we entored the town as Stil as mice; wen all was fast a Sleep and as Stil as death save that of [the noise of] the trampoling of our feet. the town is a bout 2 milds in Lenth. we marched on til we Came down with in Sight of the Custom hous and fort which we Could disurn [discern] by the Lights wen we ware haild by the Centanal [sentinel] in Spanish (Kingveve [quien vive]), which is the law their, 3 times wen of went the Canon and kild two of our men. we was in open order So we faird bettor. we Rushed on the Cannon took it kild 3 Spannards. they then fierd 2 more Canons—and then the actions Commenced on boath Sides with muskettory. We Shot all the men from the guns. they then Retreted in the fort and Commenced fiering down on us in the Street. the action Lasted about 2 houres wen we found our amanetion [ammunition] Runing Short. We Seased firing on boath Sides for they ware as glad as we ware.

after Consulting with our Selves we Conclude to Retret before dalight for feare all the Solgers would turn out and cut us of. We got all the wonded that was able to walk and about 5 in the morning we made the woods. Our Retreet was Spedey. Leving the deade in the Streets with the wunded that could not go with us on our Retreet. a number made an attempt to Cros the River and go down on the other Side which was but a Short distance to whare we Started from. we made our way on to the fort by the Same way we Came as fast as we Could with our wonded and the Situation we ware in. about 12 oclock in the day we arrived at the fort whare we Started from with But the Existanse of Life—in fact they did not all get in for two days [later] wen the Role was Cauld we found out of 150 men we had Lost 40 men. the forth day a Spannard Left the town and Stated that there ware 28 men in prisen [and] Six murded in the wood by the Spannards. So we Lost 6 men kild in the action. those ho [who] was taken prisoners has been Since Shot or murded in a most Shamful manner. I must Cut my narative Short. We Remaind at the fort about 10 days precured Som provishen from vesels trading on that Coast [and] imployed a Chuner [schooner] Cauld the hasan [Halcyon] to Bring us to the mout of the braces River in Texes. hour [Our] other Schuner was intiarley Lost. we got som Lit [light] provishen from on board of her. We put to See on the 25 of November. We Cacolated to make the River in 3 days. We whare [were] blowen to See and Reached it in 9 days. 5 days we Lived on  $\frac{1}{2}$  pint of Rise. we Landed Safe in Taxis. We Remaind thar a few days and then Commenced our march to whare we ar a distance of about two hundred miles on foot and thew [through] a wilderness. in my next I [will] give you a ful detaile of my travels thew Texes, as I must fil up my Blank with other affars. My dear wife)—My object of Goin on this Exposishen was for you my Self and Son and all my femaley hearafter. in the first place as Soon as [I] took arms in defence of Texes I became a Sitisan [citizen] which by the Laws entiteld me as a man of famalecy to one Lease of Land Square which is three miles or fore thousen, fore hundred acers of Land which wen things are seteled [settled] will be worth Six thousen Dollars. indapendent of my head Right for my Survis I Shal Receive 800

acers of Land—of the Shoises [choicest] kind—which wi[ll] be worth at Least two thosen—which will make us indopendent for Life—which will be Seteled [settled] in the Cors [course] of a few years be Sides a Surton [certain] Salary which I will get per year. I forgot to mentian that wen we Came to Texes I Resind my Commetian [commission] to Capton Allen as we thew [threw] boath Companey's into one and So I was apointed quartormaster of the Company until I arrived at this place—and Since [I have] bin promoted to quartor mas [ter] of the armey. the quartor master Jenoral is hear at presant and Sais [says] he has a Situation of Mor impartance for me. My pay at present is 30 Dollars per month and found evorey thing. My Dear) fear nothing for me. My object is to Sho them that we will Soon be able to [pounce(?)] on them. I wish you woul Send word to Joseph Leeds the Talor that his Cusen [cousin] Isaac Leeds was kild at the battle of Tampeco. he belong [belonged] to my Companey. he fought braveley and met death Like a man and a Solder. it will be much Satisfaction to his mother [to] no his fate). My Love one word to you and my Son. You must do the best you posable Can. wen I Receve my half yearley pay from the Guverment I will Send You Som Money. Should eney thing befall me you can Sell your Clame to Reckoley. but, I Shall Live I trust to injoy the frutes of my Laber with my beloved famaley. Keep up your Spirits, alls well. bring up Charles in obedance to your Comands. I Shal be home in time to See him go to Chool [school] and Lurn [learn] him to Repeate what his father has done for him. I Shal Right to N Orleans in a few days to See about P Pandeley's affare. I left a power of attorney in N Orleans for it to be attended to. My Love, to yo my Love I neade Say but Little. You no my warm hart. My Respects to all—To you and my Son Receve my Lasting affection. Right wen you Receve this lettor. Right to me Direct Goliad Texes in the Care of Leftenant Thornton. I Remain Your affection [affectionate]

Husbant

George Dedrick

N. B. By the next Express I shall Right you a nother Lettor.



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GENERAL JOHN THOMSON MASON.<sup>1</sup>

*An Early Friend of Texas.*

KATE MASON ROWLAND.

General Mason's interest in the colonization of Texas began, apparently, in 1830, upon the organization of the Galveston Bay and Texas Land Company, in the city of New York, in which he was a scripholder. The trustees of the company were Amos Dey, William H. Sumner, and George Curtis, who were the attorneys of Lorenzo de Zavala, Joseph Vehlein, and David G. Burnet, "Empresarios for colonizing Texas in the department of Nacogdoches." In 1831, General Mason accepted the position of confidential agent of the company, to visit Mexico in its behalf and to transact all the business required in colonizing the grants of the *empresarios*.

<sup>1</sup>John Thomson Mason, second son of Hon. Stevens Thomson Mason, was born at "Raspberry Plain," Loudon county, Virginia, January 8, 1787, and educated at Charlotte Hall Academy, Maryland, and William and Mary College, Virginia. He removed in 1812 to Lexington, Kentucky, and was appointed by President Monroe United States marshal of the District of Kentucky, 1817. In 1830 he was appointed by President Jackson secretary of the Territory of Michigan and superintendent of Indian Affairs, offices which he soon after resigned in favor of his son, Stevens Thomson Mason, "Boy Governor" of Michigan. Afterwards he resided principally in New York City and Washington, D. C. He died at Galveston, Texas, in 1850, after an association with that State of twenty years' duration as agent for a land company and in connection with other land enterprises; and at the two critical periods, 1833 and 1836, as the friend and promoter of Texan liberties.

Handsome in person and courtly in manners, with fine literary and classical attainments, General Mason was well equipped in more than one respect for the delicate and difficult negotiations he was about to undertake. And, as he reminded the company later, he "possessed advantages of position," both in the United States and in Mexico, "from friendships and intimacies of a personal and political character which few could occupy." He had inherited the friendships of his father, an early ornament of the United States Senate; he had shared the intimacies of his brother, also a Virginia Senator, and one of the most popular men of his State, and he was already, in the early thirties, a well-known figure in Washington's political and social circles. In New York, the business metropolis, as Washington was the political capital of the Union, General Mason was equally at home, his wide acquaintance at these two centres thus embracing the leading men of his time. He had been employed, with other gentlemen as his associates, in conferences with the Seneca Indians of New York, with whom that State had treaties, his office of Superintendent of Indian Affairs in Michigan giving him a large acquaintance with this subject. Later, under Tyler's administration, he was to attempt for the Indians of the South—the Cherokees—what he had essayed for those of the North, employing all his abilities to secure to the ill-used red men their treaty rights.

As an able lawyer, moreover, General Mason's services were especially valuable to the colonization company whose attorney he now became. Unfortunately, his letters to the trustees in 1831, 1832, 1833, and 1834, up to the date of the resignation of his agency, can not now be found. A list of them only is among his papers. But several of the letters of the company to General Mason are extant.

The first of these, written before his final acceptance of the trust, is endorsed "Instructions, Private," and is dated "New York, April 6, 1831." General Mason had, apparently, submitted his "views" on a subject probably discussed by him orally with the trustees of the company, the question of "the purchase of the Texas by the United States." This letter is a most interesting paper and unfolds the hopes and expectations of the company, doubtless shared already by many other Americans, that Texas should become a part of the Union. The "jurisdiction," the trustees write to General Mason,

is "essentially necessary to the security of the free navigation of the Mississippi and the great interests of the Western States which depend upon it." The writer adds: "The geographical situation of Texas is such that its long continuance under the Mexican government is not to be expected, and Great Britain is the only country, besides our own, which would have any great political object in its possession." The company believed that the "jurisdiction" of this portion of Mexico—"the Texas"—where two-thirds of the territory was already granted to individuals and companies, many persons in the United States being interested in these grants, would be an object most desirable, and they proposed to offer to the Mexican government the following concession for this purpose: "Desirous as we are," they say, "both from public and private considerations, that an attempt to obtain it [the jurisdiction] should be made on the part of the United States \* \* \* we have upon mature consideration determined that we will set an example of liberality in relinquishing one-half part of our grant in consideration of the security which would, in the event of a successful issue to the negotiation, be afforded to the other. If the same example should be followed by the other grantees, the Government by a treaty of cession would acquire about two-third parts of the territorial right of Texas and the jurisdiction of the whole." The four grants of the Galveston Bay and Texas Land Company were estimated as containing over twenty millions of acres. The letter continues: "If the other grantees will be equally open, reserving to themselves only one-half of their grants, and ceding the other to Mexico with a view to its acquisition by the United States, we do not hesitate to say that, under our jurisdiction, for the land which the United States Government would acquire by the treaty of cession, the sum of ten millions of dollars would be a compensation which our company, we think, upon proper time of payment, would willingly pay for the right of soil only. If you think the Administration would be likely to entertain a negotiation on this basis, you are authorized to propose it in our behalf before your departure for Mexico. \* \* \* We beg leave to suggest for your consideration that the Mexican Government or any other might make up a determination to cede a part of its uninhabited territory without feeling that it subjected itself to the imputation of national disgrace. But as the territory in question has a considerable population to which

6000 emigrants have lately been added, mostly from the United States, we apprehend it may be desirable with the Government of Mexico, that the colony should petition it, or in some form or other express its assent to the cession." In reference to the eleventh article of the decree of April 6, 1830, which prohibited the colonization of the border States of Mexico by immigrants from adjacent countries, and which was intended especially to prevent further entry into Texas by colonists from the United States, the "Instructions" say: "Mexico places the United States in the light of enemies, and so we find our citizens are now considered in every part of that country but Texas. Whether this is consistent with the honor of our country and ought any longer to be submitted to, it is for our Government to determine. \* \* \* Before your return from Washington on your way to Detroit, we will endeavour to prepare suitable powers of attorney predicated on the above basis for your government, in case you shall have reason to suppose the plan will be acceptable to the National Administration and undertake the mission; for without their co-operation all our expectations would be fruitless. Nor will we engage in the business at all, as it must necessarily paralyze the objects of colonizing our grants from Europe to which our efforts are now directed, unless you shall be of opinion that the articles we propose will meet with the support of the Administration in the ratification as well as the formation of the treaty." The articles were two in number, one as to the grants of the company and the other as to grants of Exter and Willson, for whom the company were trustees. They provided that so many acres be confirmed to the company of the "border grants by the United Mexican Government, in consideration of said trustees having relinquished the residue of their interest therein to the United Mexican States."

It will be seen that this was a semi-political mission, and General Mason was to be not only the agent of the company, but he was to be, unofficially, the representative also of the United States Government, if the administration assented to the company's suggestions. The President, Andrew Jackson, was General Mason's personal friend and likely to listen to his representations. Among the manuscripts in the Congressional Library is a lengthy memorandum addressed to General Jackson, covering the subject of Texas

lands, probably prepared at this time. The letter of the company already quoted goes on to say:

On your way through Texas we advise you to confer *confidentially* with Colonel Austin, whose concurrence in the course proposed we think would be important to the success of the negotiation, and to open yourself to General Teran, the chief of the Department, as far as you deem it expedient. The expression of their opinion to their Government in favour of the cession as a measure of national expediency, would have great weight with it; and no persons are better acquainted with the fact that from the vast influx of settlers the lands will soon be taken up, and that thereby the territorial value of Texas to the United States is daily diminishing. Backed by their assurances that such is the fact, the Government of Mexico will see that *now* she can more fully replenish her exhausted coffers of her exhausted treasury than at any future time, and thus relieve herself from the necessity of forced loans which will surely overthrow in the end any administration which resorts to them. You will also endeavour to see our friend, Colonel Mexia, who went to Saltillo, and may be there if he has not arrived at Galveston. \* \* \* In case of undertaking the agency, you will consider the views herein expressed as your guide relating to the subject matter of them and will govern yourself accordingly. \* \* \* We shall expect to hear from you as often as possible and your communications shall be strictly and exclusively confidential—in the breasts of your friends, who in closing their address have the honour to subscribe themselves, [etc., etc.]

General Mason wrote to the company from New York June 18, and from Washington July 2, and he was soon after *en route* for the City of Mexico, from which place he dated a letter to the company on the 26th of December, 1831. To two of his young daughters, then in Detroit, General Mason wrote Christmas greetings, December 25, in which he described the manners and customs of the Mexicans in very entertaining letters. He says of himself: "And now that I sit down to say something to you I am at a loss where to begin in my journey or what to describe that would be new and interesting; for I have traveled so far and seen so many strange sights that it would require a history instead of a letter to contain a just and intelligible account of them." He tells of the opera, an Italian company then playing every night, where he had been about a half dozen times, "and then I went more to see the population, dress, manners, etc., of the fashionables than from any great pleasure I took in it. Yet it is much admired; and an ad-

mirable Italian company have been imported by the Government to amuse the people; and, as in the days of Roman tyranny, to divert them from the misrule of those in power." He writes of the fashionable promenade of the Alameda and of the drive for horse-men and carriages, the Paseo, and describes Mexico as "a very magnificent city but the filthiest in the world." The American Christmas drink was to be found in one house, at least, as General Mason relates: "I have just returned from taking a drink of eggnog with Mr. Offutt and Mr. Whiting, two old Kentucky acquaintances, who live here and keep a splendid Hotel, at which they are making a fortune. They keep a house in the fashion of our country; a Mexican never thinks it necessary for the comfort of a traveler to have a bed, and such a thing is not to be found in a tavern or a private house in the interior of the country. A feather bed is unknown and never seen here; a cot, a wool mattress or a plank to lie on is considered a luxury, and except on the road to Vera Cruz, which foreigners travel so much, you find not even these comforts."

A letter to the company was written from Mexico, January 20, 1832, and one March 5 to one of the daughters at home. In the latter General Mason writes of the novelties that would amuse or instruct his young correspondent. And he touches upon the religious bigotry of the Mexicans. "All Protestant foreigners are called Jews and are denied even the rights of burial. When Gen. Wilkinson died here they would not suffer him to be buried, and after keeping his body in his house for a week, one of his friends had to bribe a *good Catholic* to go to a priest and swear he belonged to their church to get his body under ground." He notes the great contrasts between the higher and lower classes; "their habits and manners are from the lowest order of our Indians to the stile and elegance of Parisian France." The letter concludes with the following glimpse of General Mason's participation in the social life of the gay Mexican capital: "I have never seen anywhere dinners so grand as among the rich here, nor any that were more agreeable from the novelty of the stile and the easy and polished manners of the host and hostess. By the way, I am just reminded by the striking of the clock it is time to go to one for which I have an engagement today."

Among General Mason's papers is one written while he was in

the City of Mexico at this time, addressed to "Don Lucas Alaman, Secretary of State and of Dispatch," and endorsed: "Memorial, Presented to the Secretary of State of Mexico, on the subject of the grants of Burnet, Vehlein and Zavala by J. T. M., March, 1832." It is an able legal argument designed to prove—what had been denied by the enemies of the company—that the right to introduce settlers within the limits of their grants could lawfully be conveyed by the *empresarios*, Burnet, Vehlein and Zavala to their trustees, General Mason signing himself "Agent for the Empresarios and their associates." There followed then a correspondence, which is also preserved, between General Mason, "Agent of the Galveston Bay and Texas Land Company and General Terán, the Land Commissioner of the Federal Mexican Government, for the colonization of Texas." According to the instructions of the company, General Mason had sought an interview with General Terán<sup>1</sup> and these letters passed between them soon after. The first from General Mason is dated "Hacienda del Cojo, State of Taumalipas, May 28, 1832." General Terán's reply, of which a translation is given, is dated "Headquarters, Buena Vista del Cojo, May 29, 1832." General Mason's rejoinder, May 30, and a second letter from General Terán of the same date closed the correspondence. In General Mason's second letter he expressed his gratification at the opinion General Terán had enunciated "that the right of the Empresarios Burnet, Vehlein and Zavala to proceed in the colonization of their grants is unquestionable, and that no obstacle will be presented to the introduction of families by themselves or attorneys, provided they conform in all respects to the law of the 6th of April, 1830." Other points upon which General Mason solicited the views of the Land Commissioner were to be determined only, wrote General Terán, by the Governor of the State of Coahuila and Texas. And General Terán's last word as to the status of the company was not altogether satisfactory: "My respectable sir: I reply to your note answering mine of yesterday, the expression that Messrs. Burnet, Vehlein and Zavala reserve their rights as Empresarios to colonize under the contracts made by them with the Governor of the State, does not in any manner comprehend the company which they formed in New York; for the transactions

<sup>1</sup>See Filisola, *Memorias para la Historia de la Guerra de Tejas*, I 235.

which they entered into to form said company contravene the laws of colonization, and this is a question of right the resolution of which is still pending." General Mason wrote to the company from "Leona Vicario," May 11, his last letter from Mexico, and his next report to them was made in New York in July.

The company sent General Mason a letter of instructions, which is extant, dated November 9, 1832. In this paper General Mason has his attention called "to the defective powers" under which the trustees acted. As the special agent of the company, General Mason was furnished with a letter of attorney from the *empresarios* substituting him as "the representative of those *empresarios* with as full powers as this instrument" conferred on the trustees. So letters are sent to each one of these gentlemen, Burnet, Vehlein and Zavala, with powers of attorney and contracts in the Spanish language for them to sign, and General Mason is authorized to sign for the trustees. He is to see that all legal formalities, according to Spanish codes, are complied with, "and if any doubt exists as to the mode of accomplishing this, you will consult counsel learned in the law," the letter adds.

It was thought essential to their success in colonizing the grants that an agent should reside on each grant, and General Mason was instructed to select and appoint these agents and also to fix their compensation. Also upon him devolved the duty of instructing the agents and assigning them "their duties and modes of proceeding in the reception of colonists and the issuing of titles, until instructions upon these subjects can be given by us; which they must understand will be paramount." No one is to be admitted as a colonist unless possessed of the scrip of the company, or having the written permission of the trustees. "But this restriction in the reception of colonists does not apply to those who may have entered the country and settled within these grants previous to the appointment of these agents; with these another course must be observed." This was an important and difficult subject and was to rest almost entirely upon General Mason's judgment "after having seen the country and the people, and informed yourself of their particular situation and claims to land." The letter continues:

As you have already claimed for the *Empresarios* the premium land for these settlers and the question is yet in suspense

before the Governor of the State, we advise that you prosecute that claim to a favorable decision; and in the event of the failure of a negotiation for the fee simple estate, to ask for a contract for an additional number of families and an extension of time for compliance. \* \* \* But the important charge committed to you remains to be explained. You are authorized to enter into a negotiation for the acquisition of the fee simple title in all the lands (not already appropriated) comprehended in the boundaries of the contracts of Zavala, Vehlein and Burnet, and to apply to the success of this object a fund not exceeding one hundred thousand dollars, of which you have a discretionary power to use five thousand dollars in the scrip of the company, which must be taken into account in the use of the general fund. \* \* \* You will observe that the directors contemplate two modes by which to acquire this estate; one by securing a fee under the stipulations of a treaty that may be negotiated for a cession of Texas to the United States; the other by a direct purchase of the fee from the State of Coahuila and Texas. In the event of obtaining the fee simple estate by either mode, you are authorized to use this fund according to a letter of credit herewith furnished you. \* \* \* Now we are aware that this is no easy task, and that it will require all your efforts for success, but we rely upon your perseverance in removing obstacles and surmounting difficulties. That many present themselves at this moment is obvious, and that others may arise is more than probable. So far as they are seen we will make to you some suggestions for your guidance and information.

At the threshold we are met by the objection that we are aliens and by the Mexican law cannot hold real estate in that country. To be naturalized requires domiciliation; and it is neither practicable nor desirable for us to change our allegiance. How, then, can we be clothed with authority to hold real estate in a foreign land? It is a rule of law applicable to all civilized communities that individuals collectively may acquire rights as members of corporate bodies without changing their personal relation to the society of which they are citizens. These artificial distinctions are not unknown to the Spanish law; for it was under this immunity of municipal membership that Cortes held command in the conquest of Mexico; and for ages this has been a resort for the attainment of rights and privileges which individually could not be possessed. To this day the Clergy and Army are a separate municipality and are protected under this artificial distinction. It therefore seems not beyond the reach of the limited ken of a Mexican legislature to understand the meaning of a body politic and corporate, or an association of individuals endowed by law with certain faculties and powers not belonging to them as individuals and given for beneficial purposes. If, therefore, you

can obtain for us a corporate act with power to use a common seal and to hold real estate to the full extent of our wishes and a concession of that estate to us in our corporate capacity, it appears to us the difficulty will be removed. But should this not be understood by Mexican legislators and become impracticable, we are willing to take the estate as sufficient, by a simple enactment of law investing us with the faculty of holding, transferring and conveying real estate, and with the power by certificate to transfer rights which shall be perfected by the deed of the commissioner conveying an absolute fee. The first mode is preferable, but you will resort to the other if expedient. \* \* \* You will observe that we require of the Empresarios to execute to us joint and separate powers of Attorney containing covenants in the nature of a contract; and that they execute separate powers to such representative of the Empresario as may be named for each grant; and also a general letter of Attorney to you with full powers to represent them.

\* \* \* \* \*

We think it is important, if it can be effected, that the General Government shall recognize the doings of the State Government, and you are requested to obtain it in some form or other upon the payment of the money into the Treasury of the Federal Government. Fearing the 500,000 acres of scrip may not be sufficient to enable you to effect the negotiation, we place the sum of \$5000 in cash in your power, which is also to be used discretionarily as well as the scrip towards the attainment of the object; and in case of success this, as well as that, is to be considered as a part of the general fund applied to its successful accomplishment.

We request you to advise us on your arrival in Texas of the persons you appoint as Attorneys of the Empresarios and how the settlers can best go to their respective places of residence. Also to give us your views of the quality and value of the soil, the number of settlements, in the different colonies, and state of prosperity or otherwise of the settlers; and whether the way is now open for the reception of Americans, which you can ascertain by conferring with the Commissioner, as the way for them appears to Colonel Butler and ourselves to be opened by the late treaty for settlement."

Thus instructed and equipped, General Mason made the journey to the State of Coahuila and Texas in the spring of 1833. Letters from him to the company were dated from Natchitoches in Louisiana, March 6, and from Nacogdoches, March 24 and 26. On this last date General Mason wrote also to Mrs. Emma Willard, at whose famous school in Troy, New York, he had placed his eldest daughter.

The letter gives the careful father's wishes as to the plan of studies to be pursued. He apologizes for not having sooner attended to this matter; for, though a day had not passed since he left home on which he had not given thought to the subject, yet, he says, "there are so many circumstances, important and trivial, that control us in the preparation for and in the prosecution of a long journey, that I have found myself constantly drawn to immediate demands on my time in exclusion of matters of greater interest, not directly in view." In concluding his letter, General Mason adds: "My journey so far has been most tedious and uncomfortable. Torrents of rain have fallen for three weeks, and detained me that time at this place. I progress tomorrow over a country literally inundated." A letter from his son was addressed to General Mason at "Leonavicario, Mattamoras," dated April 16. At this time, as is seen by a letter to General Mason from Stephen F. Austin, the company's agent was following out his instructions by interviews with Austin and efforts to gain his co-operation and sympathy.

San Felipe de Austin, April 17, 1833.

Genl. Mason

Dear Sir

I went to the village to see you, but you had started. I wished to have had a long conversation on the subject you mentioned the evening before and to have stated some alterations which I expected would be made in the colonization law. In the Bexar remonstrance they requested that the law might be changed so as to admit of sales by the settlers before the land was actually cultivated by the grantee *in its totality*, as the old law required. By the last mail I received a letter from Madero stating that they were then at work on a new colonization law that would supply all the defects and vacancies of the old law. Your ideas as I understand them in relation to myself are incorrect, that is if you think I have any unfriendly feelings as to the company. I am peculiarly situated. Your opinion of the want of moral principle in our community is wrong in the general, but it is unfortunately correct to a considerable extent. The multitude are easily misled, and there are many who wish to ruin me and will not stop at any means to do it. You have seen and heard enough to be convinced of this. If we can get a State Government, the company can make those colonizing contracts profitable, that is if the law of 6 April is repealed and Madero writes that it certainly will be by or before June. But without a State Government I do not believe that anything will be valuable in Texas. I think the country will be lost in anarchy and it will

be a great and fatal error in the Mexican Government not to grant us a State.

Your idea that the contracts of the *Empresarios* will be annulled is all incorrect; they can not be and nothing of the kind will be attempted, unless it is done under a wild excitement imprudently created by those who are interested in these contracts. But even that would be void, for the law guarantees those contracts and they can not be interfered with. You see that at this time there is no government in Texas that deserves the name of a government—this can only be remedied by getting a State.

I hope you will not leave Mexico before I reach there. I start tomorrow and shall hurry on as fast as I can. Please remember me to Genl. Mexia and Zavala and rest assured that no man has more of my personal esteem and respect than you have. I am weary of colonizing and of our present politics in Texas—a State and nothing else can remedy our evils.

Yours respectfully,

S. F. Austin.

N. B.—My respects to Messrs. Hotchkiss and Duplissis. Should the latter wish to remain in this part of the country until you return from Mexico, I think he could make an arrangement with Williams that would perhaps suit all parties.

I wish to return from Mexico by water and I hope that we may so arrange as to leave there together for New Orleans. This is the last time I ever expect or intend to have anything to do with public matters. If we get a State all will go well almost of itself. If we do not get one, I can be of no use here any longer either to Mexico or to Texas, and I shall view what property I have here as lost, for anarchy will be the inevitable result. All those who have any interest in the welfare of Texas or of Mexico ought to exert themselves to procure a State with as little delay as possible, and I have no doubt of success with the cordial co-operation of our friends in Mexico.

Yours respectfully,

S. F. Austin.

General Mason wrote four letters to the company from New Orleans in May, doubtless explaining the impossibility of accomplishing anything with the government of Coahuila and Texas in the then distracted state of Mexican affairs; and informing the company of his proposed journey to the City of Mexico, where he and Austin were both to meet and use their influence at the Federal capital to secure a more stable government in Texas and a colonization law more favorable for Americans. General Mason's letters to the company dated from Mexico begin June 30 and extend to

February 14, 1834, but all of them, eighteen in number, are lost, and the first letter of General Mason to his family that has been preserved is dated September 10, 1833. In it he speaks of having taken refuge, during the prevalence of cholera in the City of Mexico, in an adjacent village on the side of the mountain, where he remained three weeks. He writes: "It was my expectation to have returned home in the October packet, but the cholera has thrown back all my business at least a month, and I now fix my departure for the 1st November, in the Congress packet, which will sail on that day from Vera Cruz for New York." Both the cholera and yellow fever, he says, rage in the former place to a fearful extent and the yellow fever seldom departs before the last of October. "The cholera has been dreadful in this city," the letter continues; "in three weeks it destroyed more than twenty thousand of the inhabitants, and the mortality was as great as seventeen hundred per day, and this in a population less by one-fifth than New York, where the highest number of deaths in one day was about three hundred. You may judge what an awful scene of suffering this city exhibited! In the streets leading to the burying-places a continued line of dead bodies in open coffins and on hand barrows might be seen a mile long. It is rare here to bury in coffins, and one coffin serves to carry thousands to the grave." General Mason describes the manner of burial in all its shocking details, and goes on to tell of the story that had been circulated, it was said, by the priests, that the foreigners in the city had caused the cholera by poisoning the water, and this had inflamed the ignorant and superstitious populace and had led to many murders of strangers. "How I long to see," he adds, "the intelligent and happy faces of my own country. I feel as if I was in a world of another creation, where demons have been at their handy work."

Mexico was suffering from "war" as well as "pestilence," and General Mason, in a letter to one of his daughters, dated September 25, speaks of the derangement of his plans, because of "the unexpected civil commotions and wars that distract this ill-fated country." And he adds: "My expectation of seeing you in October is defeated by the untoward events which I mentioned in my last letter; the civil war and the cholera, which have retarded my business." On the 22nd of December, General Mason wrote of his disappointment in not being able to leave on the *Congress* as he

had expected. He says: "We have had a constant succession in the officers of government, owing to the disturbed condition of the country. A few days since we had a new administration, but of the party in power. The President has retired for six months to his farm and the Vice President and new ministers are installed. I think things will be now permanent, and that I shall soon get through with my business."

Santa Anna had succeeded Bustamante,<sup>1</sup> the Liberals being "the party in power," so General Mason had every reason to hope for success in his mission, through the intervention of his friends, General Mejía and Zavala, the latter being also one of the *empresarios* of the company. General Mason's intimacy with General Mejía and his brave and clever wife, Madam Mejía, and the latter's services to the patriot party, are alluded to in the following passage from one of Mrs. Mason's letters to her son, written in New York, September 14, 1834: "Your father has found here an old acquaintance, the wife of General Mexia, who is now commanding the Mexican army. She is the lady from whom he used to get all his political information while in Mexico, and is quite a heroine; it was she who was employed to carry money to the army, and did so at the hazard of her life, was taken prisoner, escaped the guard and delivered the money safe to her husband and saved the whole army. Do you not recollect your father's giving us an account of her? I was surprised yesterday to hear her converse with him upon the state of Mexican politics, with all the ability of a statesman."

Among General Mason's papers is a short letter from the Trustees of the Company, dated January 10, 1834, a reply to General Mason's letter of November 27, 1833, sent by the *Congress*. They also acknowledge the copy of the decree of the 21st of November<sup>1</sup> enclosed in the letter. They "regret to learn that the rebels continue to disturb the peace of Mexico, and that in consequence thereof the dispatch of public business is interrupted"; and they add: "We have not written to you for some time past because

<sup>1</sup>When Bustamante was overthrown, his immediate successor in the presidential office was Gomez Pedraza, and later the duties of the office were discharged for some time by Vice President Gomez Farias, while Santa Anna, who was then president, was in retirement; but the fall of Bustamante left Santa Anna at once the dominant figure in Mexican politics. See Bancroft, *Mexico*, V 123-127.

<sup>2</sup>Repealing the eleventh article of the decree of April 6, 1830. See Dublán and Lozano, *Legislacion Mexicana*, II 637.

by every packet for these four or five months past we hoped to see you return, having accomplished the great object of your mission. As it is we entertain hopes of your success *and that you will not leave the country until every reasonable prospect of success has failed.* We feel satisfied with your efforts and can not give you one word of advice or instruction, save we hope you will *persevere to the end.* One thing, however, seems to be necessary to be done. To get an extension of as long a time as possible for the performance of the contracts, if you shall fail on the main question."

General Mason wrote to his wife on the 26th of October, from which letter Mrs. Mason quotes in one to her eldest daughter: "Peace, however, is at last restored and the government considered settled, so that Congress had commenced business, and had passed a law authorizing our citizens to settle and hold lands in Texas—which your father has been endeavoring to get passed for two years, so that with the exception of some other trifling matters he had nearly accomplished the object of his wishes, but he could fix on no time to leave Mexico being obliged to avail himself of a military escort to Vera Cruz which was to take their minister to France that far. The roads at this time are so infested with robbers that it would be dangerous to attempt to travel without an armed escort, and as Mr. Zavala passes through the United States it will give your father a safe conveyance." General Mason wrote to his daughters, January 29, 1834, from the City of Mexico, the following interesting account of public events:

You will be surprised to find I am still in this city; yet such is my condition, and that of all who have anything to do with this uncertain and peculiar people,—that of meeting with constant disappointments and endless delays. Indeed there has been some apology for the tardy movement of the government while a civil war has been going on, which was calculated to distract them, although the theater of action has been long since removed to a distance. But it is proverbial that a Mexican postpones to the last moment everything he is called upon to do, and his universal declaration is, *tomorrow* it shall be done,—*tomorrow*, which never comes. There is always, however, a courtesy in their excuses which leads you to hope from day to day better results, until time is insensibly wasted away. \* \* \* My patience has been long since exhausted, and but for the important concerns under my charge I should long since have been at home. But too much depends on my

mission to leave unfinished what I hope to complete, and my consolation, I trust, I shall find in beneficial results.

There has been one subject of late most unpleasant and serious to us all (which I am not certain that I mentioned) and has been productive of mischievous consequences;—the treacherous conduct of Col. Austin, who was the agent of the people of Texas here; and wrote from this city advising them to rebel against the government. His letters were intercepted, and one published by the authorities of the City of Bexar in Texas, and sent on here. It arrived a few days after his departure, and expresses were immediately sent to have him arrested. He was apprehended at Monterey<sup>1</sup> about six hundred miles north of this, and is now a prisoner on his return and expected to arrive here in a few days. This, of course, has thrown all Texas matters into confusion, and I wait the end. I fear Austin's fate will be severe—by the laws here, death or imprisonment for life is the penalty of his offense. You know he is the founder of the colony in Texas, and has acquired some fame on that account. Long since I discovered that he was a bad man, and fortunately have kept aloof from him, and unconnected with any of his projects. In fact, we have been for more than twelve months in opposition to each other in all matters relating to Texas, and the development which has been made is a prediction and a warning I gave him six month ago—that his double dealing would soon destroy him.

Evidently Austin was in bad repute with General Mason.

The Texas Convention of April, 1833, had petitioned for the repeal of the objectionable decree of 1830, and not only urged the separation from Coahuila, but drafted a State constitution, Sam Houston being chairman of the committee. Austin was one of the three commissioners elected to carry these resolves to the Mexican Congress, and he alone went to Mexico for this purpose. He was not successful in getting the so much desired State organization, and impatient of the delay, wrote to the municipality of Bexar, recommending that all the Texas districts should unite and organize a separate State government without waiting for the consent of the Federal Congress. This caused his arrest and imprisonment. Texas historians say that Austin obtained the abrogation of the eleventh article of the law of April 6, 1830, prohibiting immigration from the United States. Was this actually the case? General Mason writes in 1835 of his agency for the colonization company justifying himself against complaints made by Amos Dey:

<sup>1</sup>At Saltillo, in fact; see *THE QUARTERLY*, II 194.

During this period I made two trips to Mexico and Monclova and one journey through Texas, traveling by land and water, more than 15,000 miles, including all my journies. In all which I encountered disease and danger, that none can understand but myself, but which my correspondence makes mention of; and which put to hazard my health and life at almost every step I took. At this period the cholera pervaded the whole continent of North America, and I encountered it in its most violent form wherever I went. At New Orleans and Vera Cruz I was in the midst of yellow fever, and at every moment in danger of violence from robbers while traveling in Mexico. Now amidst all these difficulties, and amidst revolutions breaking out every day with a change of men in power as one party or the other had the ascendant, and holding sentiments at war with each other, I completed a negotiation for establishing the rights of the stockholders, which it is not arrogance in me to say that few men in the United States could have done: because I possessed advantages of position here and in Mexico from friendships and intimacies of a personal and political character which few could occupy, and I say it was mainly by the force of these circumstances that I was enabled to do what I did. When I took up the affairs of the company the whole was in fact lost. Their rights had been declared forfeited by the Land Commissioner General Teran, and his decision approved by the Federal government, and the settlers sent by the trustees ordered out of the country. I obtained a recognition of these rights by both the Federal and State authorities, and got an act of the Legislature giving three years more time for the grants of Burnet and Vehlein, and received a promise from the Governor of the State to send on a commissioner for the colonies to Nacogdoches and agreed with him on the person to be appointed. But the law of the 6th of April, 1830, prohibiting the colonization of our countrymen, being the first act of the administration of Bustamante, he would not consent to have it repealed; but Mr. Alaman, the Secretary of State, was willing that titles should be given to all the persons then on the grants notwithstanding this prohibitory law. But to proceed with advantage in colonization it was necessary to have this law repealed, and in my second trip to Mexico I contributed mainly to this end; and had it not been for my agency the law of repeal would never have passed or the law of the 6th of April would have been restored; in evidence of which see my letters of 1833 and 1834. The Trustees even were without legal power to act or to hold the estate for the stockholders until procured by me. I traveled through Texas to protect their rights and did so effectually both there and in Mexico against attacks that would otherwise have been fatal;—and had charge besides of an important negotiation to acquire the fee estate. To understand the labor of this negotiation and what I did, I must refer to my correspondence, and it will be seen that I had every

right to expect success both in Mexico and Monclova, and it was only after the arrest and imprisonment of Austin that I abandoned the hope in the City of Mexico, and my project was postponed at Monclova for reasons set forth in my letters.

Austin had been released from prison but was still detained in Mexico, when on the 5th of October, 1834, Santa Anna called a council consisting of the four secretaries of State, the representatives of Coahuila and Texas, Lorenzo de Zavala, then governor of the province of Mexico, and Austin the Texas commissioner, to take into consideration the petition of Texas for a separate organization. Santa Anna decided adversely to the petition of a separation from Coahuila, but held out hopes that Texas might be *organized as a territory*. Among General Mason's papers is an undated draft of a "Plan For the Organization of Texas," endorsed in pencil on the outside: "Prepared by John T. Mason at the request of the members of the Mexican Congress and presented to them and deliberated upon by the different conferees of the President and the President and the Ministers, and approved and acted upon." In this paper is sketched a form of government for a Federal Territory; and the whole subject of State and Federal powers is ably discussed, with the resemblances and dissimilarities indicated between the two federal republics of the United States of America and the United States of Mexico. It must have been while he was in Mexico at the meeting of Congress in October, 1833, that General Mason prepared and presented this paper, afterwards, doubtless, the basis of the plan endorsed by Santa Anna in the following year.

After nearly four months, March, April, May and part of June, spent at Monclova working for the company's interest, General Mason returned to the United States, having accomplished for his employers and for Texas the excellent results above detailed, under difficulties and discouragements but faintly sketched here, as so much of his correspondence is missing. He resigned his agency for the Galveston Bay and Texas Land Company in October, 1834.

The Texas Revolution caused by the despotism of Santa Anna found in General Mason a hearty advocate. He attended a meeting in New York in November, 1835, which had been called to solicit aid for Texas, and the committee having the matter in charge had fitted out a brig, which sailed with two hundred emigrants in December. The assistance had not been forthcoming to

the amount expected, and to raise a debt incurred of \$3618, "Gen. John T. Mason, an ardent champion of Texas" assigned "ninetieths of a certificate of eleven leagues of land" in Texas for the payment of this debt. This was a certificate issued by the Governor of Coahuila and Texas, June 21, 1834. The Texas Convention of March, 1836, assailed this contract, and later Texas annulled the act of the legislature of Coahuila and Texas which had confirmed the grant. So General Mason's first effort to aid Texas met with a rude rebuff.

General Mason was in Texas at the opening of the Revolution, and doing all he could for the cause. He was made "Commandant of the District of Nacogdoches," April 11, 1836, his commission being signed by the "Committee of Vigilance and Safety." He was elected by the citizens, and the committee was to sustain him and give him all the aid in their power. But before he had received this commission, General Mason was at work as the following letter<sup>1</sup> shows:

Nacogdoches, March 20, 1836.

Dear Sir: This moment news of the most disastrous character has been received from Bexar: Travis and all his men captured and murdered. An apprehension of a serious character exists here that the Indians are assembling to fall upon the frontier, particularly those from the United States. I have taken pains to inform myself of the facts, and I have no doubt they have been prepared to move in the event of Santa Anna's success. He is determined to wage a war of extermination against Texas, and has engaged the Indians to aid him. The committee of vigilance here will address you on the subject of the threatened danger from the Indians. Is it not in your power to send a messenger to them, particularly the Caddoes, to make them keep quiet? To the extent of your authority, every principle of humanity and safety to the inhabitants of both borders requires an exertion of your powers to avert the disaster of an Indian war; and I have no doubt you will exert all your energies to that end. In great haste I must ask you to excuse this liberty, and beg leave to assure you of my respect and friendship.

John T. Mason.

To Major Nelson, Commanding at Fort Jesup, U. S.

General Mason was corresponding a little later with Samuel P. Carson, Secretary of State of the Republic of Texas, and sending

<sup>1</sup>*House Exec. Docs.*, 25 Cong., 2 Sess., No. 351, p. 773.

expresses to General Gaines and General Houston. He was at Fort Jesup on the 14th of April, having gone there to consult with General Gaines, leaving Dr. R. A. Irion acting commandant of Nacogdoches. Dr. Irion wrote to General Mason of his preparations to resist an expected attack from the Indians and Mexicans, and on the same date, General Mason made the following report of the military situation:

Gaines' Ferry, Texas—April 16, 1836.

General Gaines marched from Fort Jesup yesterday with 600 U. S. troops and encamped last night ten miles on this side the Fort. Tonight he will be on the Sabine, where he will immediately commence the construction of rafts and make an encampment. He will afford protection to all the women and children on either border of the river. He will not enter Texas till circumstances justify it. Any *evidence* of Indians embodying, or committing outrages should be immediately communicated to him by express. At this time all information upon that subject is conjecture and rumor. If possible the tribes committing hostilities should be designated. There being now a sure protection for their families every man should rally, concentrate at San Augustine and march on to Nacogdoches, or proceed in small detachments to that place. No enemy has yet approached and the few brave men who are making a stand there should be immediately reinforced.

John T. Mason.

General Mason sent in his resignation to the committee on the 23d of April, as there was no longer need of his services.

Early in this year, 1836, General Mason advanced a thousand dollars to purchase and fit out a vessel of war for the service of Texas, for which he was reimbursed later by the Texas government. This was the ship *Liberty*. He also advanced \$500, "the bill of Capt. Brown to pay the expenses of the Texas vessel of war he commanded," which was the schooner *Brutus*. Capt. Brown, it would seem, afterwards commanded the *Invincible*, on which Santa Anna was placed after the victory of San Jacinto in April, 1836.

On March 2, 1836, Texas had declared her independence and organized a government. The following year General Mason attended the session of Congress at Houston, the new capital. He wrote to his family from Opelousas, Louisiana, May 21, 1837:

I am so far on my way to Houston the seat of government of Texas. From this to Houston which is on Buffalo Bayou at the head of Galveston Bay is about 250 miles, altogether a land jour-

ney, making a ride of eight or nine days through a prairie region where the sun beams with an intense heat and the flies and mosquitoes are most annoying enemies to man and horse. I have a good servant sent me by Mr. Wilkinson and five travelling companions, all clever men who accompany me the whole route. Houston is a town made since May last; and for my residence there I have sent round by sea a tent, and provisions for my own table. I shall keep house in my tent and live in the true style of Texas Independence. My business will keep me at the seat of government about three weeks. I shall then return home by the way of Nacogdoches and Orleans and expect to see you all again in August. Farewell, my horses are saddled and I am called to mount.

The Hon. R. A. Irion, then secretary of state for the Republic of Texas, wrote from Houston, June 25, 1837, to General Mason, requesting his co-operation with the resident Texas minister at Washington. He was instructed by the President, General Houston, to address him this communication "on the subject of the annexation of this Republic to that of the United States." The writer goes on to speak of General Mason's "long acquaintance in that country with prominent and influential politicians, and the interest you must feel for the success and prosperity of both" [republics]. He was therefore "earnestly requested and hereby authorized and empowered to act *privately* in conjunction with our resident minister at that Court, and consult him on all matters touching our relations with that Government; and especially to urge and employ every means in your power to effect a speedy annexation." General Mason replied from Nacogdoches, July 15th, acknowledging the president's request as contained in the letter of the secretary of state, and adds:

You justly estimate the deep interest I take in the prosperity of Texas; and as a sure guarantee of that prosperity, I have always desired this annexation. It will therefore be highly gratifying to me to aid in accomplishing this object, and I shall repair to Washington as early as practicable, consistent with engagements already made, and give the resident minister my hearty co-operation. But as this service will be voluntary, embracing no official station, I must be left to judge when my efforts shall cease to be useful and when to retire from it.

General Thomas J. Rusk, secretary of war, commander of the Texas army, chief justice, and United States senator from Texas in 1846, had removed from South Carolina to Texas in 1835, and

was then, in 1837, practicing his profession of the law at Nacogdoches. He and General Mason seem to have formed a close friendship. When the latter was about to return to the United States from Nacogdoches in August, 1837, General Rusk, who was in need of some law books, requested him to purchase a list in New York. Eighteen titles are given, closing with "Those volumes of Reports of Supreme Court, U. S., containing the decisions on the Louisiana and Florida Land Claims." General Rusk became from this time on, apparently, General Mason's attorney for the management of his Texas land affairs.

In September, General Mason was back again in New York, from which place he addressed a letter to General Memucan Hunt, the Texas minister at Washington, telling him of his proposed co-operation with him in procuring annexation, and of his intention to be at the capital for the meeting of Congress in December, unless his presence should be required earlier. In November he wrote to the secretary of state of the Republic of Texas that he had heard from General Hunt "that his correspondence with Mr. Forsyth had commenced and terminated in a manner to preclude any further negotiation at the present moment on the subject of principal interest, and the one in which I was more especially charged to give my aid." This "aid" was doubtless given at a more propitious season. It was at the close of Tyler's administration that Texas was admitted to the Union, and the president must often have taken counsel with his old college friend, General Mason, then constantly in Washington, on a subject relative to which the latter was so well informed, and so competent to advise him.

Among General Mason's papers is preserved a cipher evidently used by him and his correspondents during the Texas Revolution. Some of the words and phrases for which the cipher equivalent is given are "S. F. Austin," "Treaty between U. S. and Mexico for acquisition of Texas," "Gov. of Coahuila," "Declaration of Independence by Texas," "Separation of Texas from Coahuila," "Zavala," "U. S. of Mexico," "U. S. of America," "Gomez Farrias," "The \$20,000 fund," and "Instructions to U. S. Charge." There is an equivalent also for "Letters to Treat on business of contract." Among the Jackson Papers in the Congressional Library is a letter of introduction for General Mason to President Jackson,

for John Treat,<sup>1</sup> Esq. It is dated New York, February 14, 1835. General Mason was to leave the city that morning for Monclova, but before going wished to introduce to the president his "particular and confidential friend," Mr. Treat of New York City. The letter goes on to say:

Mr. Treat has resided in Mexico many years, has been in various parts of South America, and for some length of time was the Mexican consul for this port [New York]. From all which he is familiarly and accurately acquainted with Mexican affairs and has a personal knowledge of most of their leading men. He is my correspondent when abroad, upon these matters, and as the present is a crisis of great importance in the relations of that country and ours, I am persuaded you will be pleased to receive information from a source to be relied on. I therefore say to you that any communication from Mr. Treat will have that character; and I have asked him to address you when anything of interest occurs.

It will be remembered that among General Mason's duties in accordance with his instructions from the Galveston Bay and Texas Land Company was the responsible one of appointing agents to reside on the company's grants. The "Hotchkiss," mentioned in Austin's letter of 1833, was one of these agents. George A. Nixon was the commissioner, and Arthur Henrie was the surveyor in charge. It was in October, 1834, that General Mason resigned his agency, but as he says, in a letter before quoted, he "continued without intermission acting for the company till November, 1834, or I might say till January, 1835, for although I resigned my agency in the fall I continued daily to give the Trustees voluntary assistance." Letters among General Mason's papers, of Hotchkiss, Nixon and Henrie from September, 1834, to May, 1835, show that the "voluntary assistance" lasted much longer. And letters from the trustees to General Mason of March, 1835, prove that he was still acting as their attorney. All these letters unfold a tale of woe, of vexations and difficulties that must have been most annoying. And General Mason's position was no easy one. The company was distrusted by the Texans; the agents accused each other of cheating; and General Mason was expected to keep the peace and bring order out of chaos. Finally an attempt was made by one of his subordinates to bring him in disrepute with the trustees. Major Henrie seems to have been the one reliable man of those

<sup>1</sup>Or James Treat (?).—ED. QUARTERLY.

General Mason had selected, though poor Laplichier was probably honest and in many ways capable. Archibald Hotchkiss wrote from Nacogdoches, September 13, 1834, of his arrival there the previous month, and of the attitude of the "settlers," or squatters towards him:

A man who left Nachitoches the same day that I arrived reported that the people east of this were determined to stop me at the Sabine and force me to go back, but fortunately I did not arrive as soon as they had anticipated, and having got tired of waiting they returned to their homes. However, on my reaching the new town of San Augustine they had a meeting for the purpose of ascertaining my views on the subject of giving lands to them, at the same time threatening to do several acts of violence if I should refuse to accede to their terms, at the same time demanding of me all the scrip that I might have in my possession issued by the New York Company, stating that they were determined to send every man out of the country who should presume to come into it with scrip. I, of course, explained to them that my intentions were none other than to give them their lands in accordance with the laws on the subject, and that no imposition was intended whatever, that I only required time to convince them that I had come into the country for their benefit as well as that of the Empresarios. They were very much disposed not to be satisfied, and I found that with all the command of my feelings which I thought I possessed my patience was nearly exhausted, when a Mr. Hotchkiss who lives in San Augustine came forward and addressed the people in my behalf, and on hearing him they agreed to wait the result of my operations. I thought it advisable to visit the settlers at their houses at the several settlements east of Nacogdoches, which I think has had a good effect, as I flatter myself I have succeeded in convincing them, at least a large majority, that my intentions are to do them justice.

On arriving at this place I found Laplicher in a most deplorable situation. He had shut himself up in his house for several months as the sentiment against the New York Company had extended to him, the populace having made several attempts to take his life and he very narrowly escaped after having received a wound in the breast by a knife. The attack was headed by the man we thought friendly to our interests, to wit John Durst who has entered very deeply into the eleven league speculations and has them mostly located in our colonies. Thorn has also gone deep into the same scheme. There are also several others of this class from the U. S. who have all located large quantities of lands in the colonies and have taken their titles under Aldrete. Their great object has been and is still to produce an excitement among the settlers to the

prejudice of the company. Another source of discontent has been the arrival of several men from New York with large quantities of scrip and who have been so imprudent as to attempt the location of lands over the settlers under and by authority of their scrip—and in many instances threatening to dispossess the settlers altogether. This as you will readily suppose has irritated the people to a very great degree. There is a Col. Langworthy who has been very busy in this business and who has represented himself as the special agent of the company. He is expected here daily when I hope to convince him of the folly of the course he is pursuing.

The conflicting titles, the lawlessness of this frontier community, the envy and greed of unscrupulous men among them, and the imposition of a bogus "agent" were some of the difficulties the company had to contend with. Among General Mason's papers there is a letter from John Durst, dated March 26, 1836, on the subject of the proceedings of the Texas Convention towards the "Land Claims," in which he asks General Mason's advice as to what course they shall pursue. Arthur Henrie, "surveyor and examiner of surveys in these colonies"—as Hotchkiss describes him, had arrived also at Nacogdoches and wrote September 14, 1834, to General Mason that he had the pleasure to inform him "that the agent and commissioner are pursuing that honorable course making justice their criterion, which is calculated to give satisfaction generally, and particularly to all good men, and I have no doubt but in a short time they will be very popular here, and the feelings of the people will become entirely changed towards the New York Company, which were unfavorable before these gentlemen arrived."

But very soon Nixon, the commissioner, was asking to be removed from his office, if Hotchkiss the agent was to be retained. This was on October 12. He wrote again to General Mason, November 2, 1834, expressing himself as much pleased with "Major Henrey" but giving copious details as to the causes of dissatisfaction with Hotchkiss, who was apparently neglecting the company's interests for his own. He reports as to his own work:

"I have admitted those who had a certificate from the United States, to have lands, and all others that could bring a good recommendation from the authority of this Government which they bring from the alcaldes, certifying them to be honest, industrious and friends to the laws and religion of the country, and they have produced something [over] 300 of them which I have granted or-

ders to:" He goes on to speak of the service he had rendered in overcoming the opposition to the company: "For when I came I found every person in the country much opposed to the company, and many persons opposed to Hotchkiss, yourself and even Mr. Laplieher. But, sir, I had my share of influence, and at this time I think all is well." The letter continues: "I wish to God some other man was here instead of Hotchkiss, or I were away. The other day I received a letter from a friend of mine saying that Don Ramon Muskes<sup>1</sup> was trying to have me removed. Chambers has returned to San Felipe as the Judge, but no congress has confirmed his commission as I am informed. Chambers has wrote a long letter on here to the chief of this place and the people of San Antonio has recommended a convention and wish it held in Bexar. But the people of San Felipe are opposed to it, and this town wont have time to call the people together and elect the members. Col. Austin as letters say by the last mail is still in Mexico and his case is not decided." In December, 1834, Nixon wrote again to General Mason, about the affairs he had in charge, saying of Hotchkiss: "I have lost all confidence in the man, and I think you will say the same when you see how he is acting. . . . I have not spoke to him for some time [but] the other day I was over persuaded to go to his house with a farmer to see about his claims, and Mr. Hotchkiss spoke to us as if we had been his servants, in fact, sir, he is an overbearing man, and a rough kind of a man. And I have always supported him to all persons when I have heard him spoken of, and in all things taken his part. But now, sir, I find him the enemy of us both."

In the spring of 1835 the trustees of the Galveston Bay and Texas Land Company were horrified at the discovery that their scrip was of no value in Texas. And they turned to General Mason as their attorney, commissioning him to renew their contracts with the government at Monclova. A long letter of instructions was written to General Mason, March 9, 1835:

Dear Sir

Upon the receipt of a letter by Mr. Treat from Mr. Morgan informing him that both our scrip and orders for preparatory surveys were refused both by Mr. Hotchkiss and Mr. Nixon, the perfectly appalling and ruinous intelligence was communicated to Mr.

<sup>1</sup>Musquiz.

Sumner. His prompt arrival here discloses that the impression made on his mind was in perfect coincidence with that of Mr. Treat and his company whose object in sending an agent into Texas was thus in a great degree defeated . . . We hasten Major Allen's departure by the shortest route that he may meet you and Mr. Hotchkiss and get these matters set right *before the arrival of the persons to whom we have sold scrip with the assurance of its being an essential prerequisite to the obtainment of a title* and whose just complaints against us if they find it otherwise will resound through the U. States, not only to the loss of our reputation, but producing the impression which must be ruinous to Texas that such is the confusion and difficulty in obtaining titles they will have nothing to do with it. . . . The emigrants from this country whom we wish most to engage are men of property who from the embarrassments of commerce and other sources of emolument in our large towns are disposed to go where they can see a better prospect for extending their income and of settling their children with better hopes than they now enjoy, and but for this unaccountable proceeding at Nacogdoches, we should have taken great pleasure in informing you that already were many such in several of the small commercial towns in New England engaged with great solicitude in inquiring into the title and circumstances of the colony with the intention of emigrating. . . . It is not only a matter of true policy but of just pecuniary calculation for all those who are engaged in the same general object, to come in for their share of the general prosperity than for anyone to monopolize the whole benefit of any particular branch. It has always, therefore, seemed strange to us that Austin and Williams instead of running down our company should not have seen that through our successful operations they would derive an immediate and direct accession to the value of their own domains which it will take them many years to gain without. . . . To apply these principles to a single case will be sufficient to show the advantage of the plan we took from your suggestion of making preparatory selections of proper sites for those with whom we are contracting with a certainty of securing to them a clear and indefeasible title, an intimation has been given to Mr. Sumner from a class of operatives from Lowell headed by a man worth \$40,000, that when his locations are made and a proper site for their business selected, they will remove and put up a cotton factory. But what inducement will Mr. S. have further to prosecute this undertaking unless he is to have some more benefit than the little modicum of his proportion of advantage derived from the *premium lands*? The same argument applies equally well to the exertions of all the rest which will be immediately discontinued unless the plan we have adopted of securing the locations which individuals shall make preparatory to settlement is strictly adhered to. . . . We were well aware

that there was a prejudice against our scrip in consequence of the disregard paid to it, under the introduction of the law of 6 April, 1830. It was indeed then of no validity. There was no agent admitted to act for us, nor any commissioner for him to act through and consequently no title could be obtained by it. That law is now repealed; the agent is there, instructed to act according to it, and by his certificate of consent to the admission of a colonist, the commissioner receives him. As you properly expressed it in your letter of instructions to Capt. Hotchkiss, the scrip was to be received by him as the evidence of our consent to the possessors settling within our contract and not as the formal assent of the Empresarios to the commissioner. The qualifications and circumstances of the person presenting the scrip to the agent of the contractors was to be made known to him and this was to be communicated to the commissioner by a proper written certificate upon the colonist's petition for title. . . . It has been issued and is spread all over the country and valuable considerations paid for it.

Hotchkiss was to be told that he could not remain the company's agent if he did not honor their scrip. It was complained of him by the trustees that he had neglected the instructions given him by General Mason on the 24th of June, 1834; that he neglected to make monthly reports and give the information required of him by the aforementioned letter; and that he admitted settlers for a price fixed by himself without instructions from the company, or even informing them of his action.

Among General Mason's papers is the certificate, or "Scrip No. 870" of the Galveston Bay and Texas Land Company, with the attestation of both Arthur Henrie and Thomas J. Rusk, that it "was never of any value in Texas, and never recognized by any authority in the country. It represents no title, was refused by the commissioner for making titles within the colonies named, and no land was ever acquired by anyone under it. It was a falsity arising doubtless from a misconception of the law, and many intelligent men in ignorance of the law were deceived by it." Henrie signs himself "Attorney for some time acting for the Empresarios and Inspector of Surveys made under them." This paper is dated Nacogdoches, July 25, 1837, Rusk adding his legal opinion a few days later.

Two other letters of instructions were addressed to General Mason by the trustees in March, 1835, the latter being sent to him at Matamoras. Major Henrie wrote to him from Nacogdoches, April 1st, telling of the continued difficulties between Hotchkiss

and Nixon, and of an accusation made by Hotchkiss against Laplichier of embezzling the funds, an unjust charge as Henrie thought. One of the irregular proceedings of Major Hotchkiss detailed in these letters was his neglect in classing the land surveyed into arable and pasture lands, as the law required. Hotchkiss wrote to General Mason at Monclova, April 15, from New Orleans, calling Laplichier a "consummate villain," and declaring that during a long illness from which he had recently recovered, both Nixon and Laplichier had acted in a most unwarrantable manner keeping back all the fees of the office on the plea from Nixon that General Mason was holding a large part of his property, and from Laplichier that his salary was in arrears. He had left Major Henrie as the company's agent in his absence. Hotchkiss reported for the company: "We have received up to the first of the present month 642 families—about 300 in Zavales, 185 in Vehlein and 155 in Burnet's." Nixon wrote to General Mason from Nacogdoches, April 21st, defending himself against the charges made by Hotchkiss: "As relates to the fees I have received I always left one half of them in the office with Mr. Laplichier for Mr. Hotchkiss as your agent, but on the 5th of March he made an attempt to lock out Mr. L. and take forceable possession of my office, which caused me to take the papers to my house, and ever since I have kept my office at my house, and have a proper account made of all the fees, and as soon as I can understand whether I am entitled to them, or what are my fees, then I am willing to divide them according to contract." Of Laplichier Nixon wrote: "He is the only man in the country calculated to do the business in the office, and no other man can translate the Notes better. He is an honest man, though Hotchkiss has charged him with embezzling the money, and that on oath, though Mr. L. is ready and willing to settle and account for every dollar he has received." An interesting letter from Major Henrie, giving an account of affairs at Nacogdoches was dispatched to General Mason May 4th, 1835, in which he says:

I am aware of the difficult situation you are placed in, and nothing but your application and good sense can surmount the difficulties which you have to encounter in giving satisfaction. Major Nixon is popular with the people, and I do not know of anything he has done to be objectionable to the New York Company. He has made many thousand dollars for the government by having the true number of Labors of arable land returned which each League

contained as near as practicable. Mr. La Plechier was turned out of office by Mr. Hotchkiss as I stated to you. His business habits and talents can not be supplied, and I hope (for the good of all concerned) that you can procure his services again.

A Mr. Pinckney of New York has obtained a permit to select and survey four hundred sitios for families which Mr. John Davis of New York is to introduce. But he has too much good sense to do any more than to take all advantages he can from his permit to get clear of a bad bargain. General Russell is here surveying 52 sitios for families which General Sumner is to introduce. A Mr. Cushing is here surveying between 40 and 50 Leagues for families which Mr. A. Dey of New York is to introduce, and he has also a permit to survey 130 sitios for the Pilgrim Company of New York. We have issued about 800 orders of survey to settlers. And I have personally examined, calculated, made the necessary Plats, and arranged the field Notes, in a proper manner to include the quantity of Land as surveyed, for three hundred titles. We have about 14 surveyors in the field.

Nixon wrote to General Mason on the 5th of May: "The Trustees seem much disappointed in their expectations about their scrip as it has not been respected and they find much fault with their agent, and also they have written me a long letter hoping I will reconsider my opinion and give it in favour of their Scrip. But from the understanding I have of the law I have nothing to do with Scrip, and I can only receive the settler when he appears and gets the consent of the agent and presents his recommendation and takes the oath. But I cant grant order of survey for people that are in the United States." Nixon tells General Mason: "Major Henrie is your friend, and is an honest man if I ever saw one and you may depend on him, and if he had of had the power [*sic*] long before this you would have had titles for all your lands, and he has often spoken with surprise to me, and would say you would be much disappointed when you came to know that you had nothing done for you. There is something strange in the conduct of Hotchkiss that I cant understand."

There was something "strange" also, apparently in the conduct of Nixon, for among General Mason's papers is the copy and translation of the bond given by Nixon to Mason, June 23, 1834, which states that Mason had "petitioned the Government of the State of Coahuila and Texas for the appointment of George Anthony Nixon of Monclova to the office of commissioner for the purpose of issu-

ing titles to land in the colonies of Lorenzo de Zavala, David P. Burnet and Joseph Vehlein." And it is further declared "that the fees of said office shall be equally divided between both [Nixon and Mason] . . . and Mason shall bear the expenses of the office such as salaries of clerks, rent of the office, fuel—and stationery, etc." At the foot of the paper is this note in General Mason's handwriting: "The fees collected by Nixon on the above obligation amount to about \$20,000—not a dollar of which has been paid over, while the expenses of the office have been defrayed by me. J. T. Mason."

There is an alphabetical list preserved, made by Arthur Henrie, of the "names of colonists received under the contracts of Burnet, Vehlein and Zavala, with the number of labors of arable land in each league." There are 937 names in the list.

The State of Coahuila and Texas, passed among other colonization laws of 1834-'35, one dated April 19, 1834, authorizing the governor, in order to pay the militiamen employed against the Indians, to "take of the vacant lands to the amount of four hundred *sitios*, distributing them agreeably to the rules and conditions he shall establish." General Mason was in Monclova at this time and, at the request of the Governor, he made a contract with him for the purchase of three hundred leagues of this land. These were the eleven league grants before mentioned. And it was one of the grievances that Mr. Amos Dey, the trustee opposed to General Mason, had against him, that he had purchased the eleven league grants for himself and other gentlemen and not for the company. General Mason replied to this charge showing its groundlessness, and that his resignation as agent was not made for this purpose, as was insinuated. Among other things, he said:

Six or eight months before my return to the United States I apprised the Trustees I could not continue the agency for reasons set forth in my letters—the principal of which was my long continued absence from my family, their ill health, my loss of time without adequate reward, etc., etc., and all this was said long before I had any eleven league grants or expected to purchase any, for I had no funds to do so with, and had no expectation of acquiring any. On my return home after 18 months absence and without having heard from my family for nine months, I found my wife in very bad health and that two of my children had died during my absence; and if any previous intention of quitting this agency wanted strengthening it was found in these circumstances.

General Mason's purchase of the 300 leagues was made on joint account with George A. Nixon, who was to advance two thousand dollars in cash towards effecting the contract, and thirteen thousand, five hundred and twenty dollars in merchandize, this being required before the execution of the papers by the governor. A translation of this "contract" is among General Mason's papers. His letter to the governor is dated, "Monclova, 6th June, 1834," and in it he says that "being advised of the law of April 19th of the present year authorizing your Excellency to dispose of four hundred leagues of the vacant lands of the State, he has indulged the hope of obtaining a contract with a view of increasing the population and wealth of this State, and of procuring for some virtuous and industrious families the means of aequiring an honorable livelihood." In a long "memorandum" explanatory of this contract, General Mason writes:

In June, 1834, I made a contract with the Government of the State of Coahuila and Texas for 300 leagues of land—the purport of which contract was that I should be authorized to sell the lands as governmental agent (see the certificates which are an exposition of the contract) and pay for them a stipulated price, all over was to be my commission and profit. The law authorizing the sale of 400 leagues is one of general character and for objects set forth. The existence of such a law was unknown to me till the contract was proposed to me by the Governor,—and was only taken at his pressing solicitude—after he rejected the various offers made for the lands. The remaining 100 leagues were purchased by different persons. Of the benefits of this contract I agreed to let George A. Nixon have one-half.

General Mason goes on to tell of his arrangement with Nixon and of his plans to effect a sale of his certificates, and adds:

Great difficulties existed in making a sale, owing particularly to a statement of Thomas J. Chambers and brought to New York by Morehouse, that the Governor had no authority to sell the lands but should distribute them among the troops to be employed in defence of the Indians. The best and only contract I could make therefore was a consignment with an advance of money on it and a conditional sale, one of which conditions was that the Legislature should confirm the authority of the Governor to sell,—but leaving it optional with the purchasers to take the certificates or return them upon their advances being refunded. This contract was made in February [1835]. Upon this contract I proceeded to Monelova and paid for the lands.

Of this journey to Monclova in 1835, General Mason wrote, in his letter to the Texas Land Company already quoted, telling of receiving a letter from them just as he was embarking from New Orleans to Monclova. He had been delayed in New York, and in going for his wife, as he was taking her on the sea voyage for the benefit of her health:

I had given the information frequently to the Trustees that the Legislature met on the 1st January and adjourned on the 1st May, and that I wished to be there by the 1st of April, when the new Governor would go into office. But from a long and difficult voyage by sea and delays by land, I did not at last reach Monclova till the 3d May, having sent on an express to the Legislature (which arrived on the 30th April in the morning) to ask them to continue in session till I arrived; which they could do, as the Constitution authorized them to prolong the session one month by a special decree. They did continue in session till the 20th of May. Now if I had had any agency [for the company] the events proved, as I anticipated, that I could not have attended to it, and therefore I urged the appointment of another agent. The pressure for time was such that I was in Monclova only two nights, had to go 300 miles to Monterey and back, was one night again in Monclova and found the Governor and Legislature had all run away before my return and I had to follow them on their route to do my business.

In a paper endorsed "Expenses on the contract for 300 leagues," General Mason says:

The expenses that were to be incurred in consummating the contract for the 300 leagues of land, were to be borne equally by Mason and Nixon; and Mason forebore to charge commissions, or for his personal services. Mason was almost exclusively engaged in effecting this object for eighteen months—from June, 1834, to February, 1836. He left Monclova in June, 1834, proceeded to New York, remained there till February, 1835, before he effected any arrangement. In May following he arrived at Monclova, by the way of Orleans and Matamoras, went to Monterey for the specie, paid the Government, and returned to New York, as per contract with the gentlemen who advanced the money on the certificates.

An additional contract, dated Monclova, 23d May, 1835, confirmed the contract of the 19th June, 1834, and in consideration of the "privilege" granted, the contractor agreed to pay in addition to the price of the land the sum of five thousand dollars. The price of the land as originally contracted for, was one hundred

dollars a league of arable land and fifty-five dollars a league of grazing land; the 300 leagues to be in eleven league grants, one hundred arable land and two hundred grazing land.

The grave charges made against General Mason by Judge T. J. Chambers, and repeated by his nephew William N. Chambers,<sup>1</sup> must have appeared preposterous to those who knew General Mason personally, his Christian probity of character and high sense of honor. To General Thomas J. Rusk, chief justice of Texas, one of General Mason's intimate friends, and his trusted agent and legal adviser, General Mason gave the original contract above described, which is thus receipted, and signed in the handwriting of General Rusk:

Received of Genl. John T. Mason the original contract made by him with the Government of the State of Coahuila and Texas on the 19th day of June, 1834, for the sale of three hundred leagues of land, together with the additional contract in relation to the same and confirmatory thereof, and also the receipts and vouchers showing a full payment and compliance on his part with said contracts.

Signed in duplicate, Nacogdoches, 8th August, 1837.

Thos. J. Rusk.

General Mason has also left with me the commission of James Bowie from the Government.

Thomas J. Rusk.

The Revolutionary government of Texas repudiated the sales of land made in 1834 by the Government of Coahuila and Texas, going so far as to name General Mason's contract as annulled by them, in the first Texas Constitution. Of this action General Rusk gives his "opinion" in an undated paper containing his autograph signature. It is as follows:

To Genl. John T. Mason

Sir

At your request I have examined your contract with the Government of Coahuila and Texas for the purchase (sale) of 300 leagues of land; and am of opinion that the contract when made was strictly legal, and that when a decision is pronounced it will be in favor of the contract. The article in the Constitution cannot have any influence on it: but it must be determined by the

<sup>1</sup>See Eugene C. Barker, "Land Speculation as a Cause of the Texas Revolution," *THE QUARTERLY*, II 76-95.

judiciary upon its merits. The article in the Constitution does not by any means identify the contract, and many of the members of the Convention who voted for its insertion are ashamed that it is there.

(Signed) Thos. J. Rusk.

General Mason made his last journey to Texas in 1849, dying of cholera at Galveston, on his way home, in the spring of 1850. The following letter, written to him while at Galveston, from the seat of government at Austin, refers to those "Mexican claims" which were still unsettled though sixteen years had elapsed, and the Republic of Texas had come into the American Union.

Austin, Texas, January 15th, 1850

Gen. John T. Mason

My dear Sir

I have requested Mr. Fields the Representative from Liberty and Polk Counties to send you a copy of the reply he has made to Gen. Chambers. I think he will probably write to you upon the subject of the interest and bribe, that Chambers alluded to, as growing out of your grant from Coahuila and Texas. I have known Mr. Fields for several years, and he is a gentleman of character and integrity. Gen. Chambers is preparing, it is said, an answer to the reply of Fs. I also send you Hunt's "Letter to Houston." This is a very able letter, and stamps the author as a man of erudition and genius.

We may possibly adjourn by the 1st of February, but I hardly expect it will be before the 10th or 15th, tho' many of the members are anxious to get home. Resolutions have passed the Senate unanimously, and will doubtless pass the House so too, in relation to the powers of the General Government. These resolutions are *verbatim* the great Resolutions that John C. Calhoun introduced into the Senate upon the Oregon question—and are the same that Benton asserts were intended as a firebrand to bring about disunion, and all other horrors not contemplated by the Constitution! They are the same that Houston would not touch with a ten foot pole! "Well we shall see what we shall see."

I delivered your compliments to General Brooke. He assured me that he had mourned you as dead, and enquired very particularly about your health.

I found Jos. Denison, Esq., Att-at-Law of Matagorda on board the Packet when I left Galveston. He is the gentleman you wished to see, and I told him I had been on the lookout for him to introduce him to you, as you had some matters that might probably come before the courts, and his name had been favorably mentioned to you. He told me he had occasion to look into your grant thoroughly in connection with a claim somewhat similar. He re-

gretted that he did not see you. He doubtless will be glad if you write to him in relation to business. I mention this that you may know his address, etc., if you should require his services.

I hope your health has improved from the quiet retiracy of your Gulf retreat. My compliments to all friends.

I remain with great esteem your ob. friend

Jno. G. Tod  
of Texas.

TEXAS FROM THE FALL OF THE CONFEDERACY TO  
THE BEGINNING OF RECONSTRUCTION.

CHARLES W. RAMSDELL.

I. *Conditions on the Eve of the Break-Up.*

When General Lee surrendered, in early April, 1865, that part of the Confederacy east of the Mississippi was already overwhelmed and exhausted. In the Trans-Mississippi Department, however, a large area comprising western Louisiana, parts of Arkansas, and the whole of Texas was still almost untouched by invasion. The Federal forces having been kept at bay here through the war, it seemed probable that a severe struggle would be necessary for the reduction of the Confederates in this region; yet, within six weeks from the surrender at Appomattox the Trans-Mississippi Department presented a scene of universal disorder and confusion nothing short of anarchy—and that, too, without the advance of a single Federal soldier. In reality the defences of this department, and particularly of Texas, with which we are here concerned, formed simply a thin shell incapable of sustaining any heavy or prolonged attack.

In spite of peculiar advantages Texas had already shown unmistakable signs of exhaustion. Throughout the war she had suffered less than her sister States, and during the first two or three years had been fairly prosperous. She lay outside the circle of conflict, no hostile armies laid waste her towns and fields, nor withdrew her slaves from the plantations. Good crops were raised every year. During most of the time her ports were open and steamers and blockade runners made their way to and from Vera Cruz, Havana and the ports of Europe. Moreover, the Mexican border offered peculiar advantages for a safe overland trade; and through this channel the staples of Texas—cotton, wool, and hides—were exported and exchanged for necessary supplies or specie. Through the deflection of trade from its regular channels this traffic had for the most part fallen into the hands of speculators,—

doubly hated as a class that reaped large profits from the danger and distress of the country while enjoying at the same time exemption from military service. The opportunities for profits in this trade were not neglected by the State and Confederate governments, and during the last two years of the war a State military board and a cotton bureau had charge of the exportation and sale of cotton and other products belonging to the State and to the Confederacy respectively, and imported in return munitions, medicines, and other military supplies. That there was much fraud and mismanagement in the whole cotton business, official and private, seems certain; there was no doubt of it at all in the minds of the people of that day.

But other causes than the fraudulent operations of private and official speculators hastened the exhaustion of the State. Repeated issues of Confederate paper money had driven out all other currency and the paper itself steadily depreciated. By March, 1865, even this was cut off, as there was no ready or safe communication with the Confederate seat of government. Taxes were extremely heavy; the tithe of the cotton taken by the Confederacy was increased to a fifth, then to a half; everything was levied upon. Military authorities impressed beef, corn, and other supplies for the army, and having no money wherewith to pay, gave worthless certificates of indebtedness which the government would not even receive in payment of taxes.<sup>1</sup> Driven on by its dire necessities the government had adopted desperate and oppressive regulations that destroyed its own credit and threatened the extinction of what little trade had survived in the State. During the spring of 1865 other troubles had come. A threatened attack by the Federals on Brownsville, the chief cotton depot, had diverted the export trade to the less exposed but less profitable and less satisfactory points on the upper Rio Grande. At the same time there was a serious drop in the price of cotton, a foreshadowing doubtless of the fall of the Confederacy. All trade was coming to a standstill. Although the crops had been good in 1864, they could not be

<sup>1</sup>Gen. E. Kirby Smith to Gray, Seddon, and Wigfall, *Official Records, War of Rebellion*, Series I, Vol. XLVIII, Part I, 1381-84.

marketed. There was plenty to eat, but there was very little else to be had.

The military outlook reflected the gloom of material conditions. There were probably about fifty thousand men in the Trans-Mississippi Department when Lee surrendered. A large part of these were in Louisiana near the department headquarters at Shreveport. Several thousand were in Arkansas. Possibly fifteen thousand men were under arms in Texas. Of these last some three thousand were at Galveston with others near by at Houston. Small forces were stationed at Brownsville, San Antonio, Hempstead, Sabine Pass, Marshall, and other points. All of these soldiers had for months been serving practically without pay, for they were paid in paper. They were poorly clad, and often had to furnish their own clothing and equipment. There was much discontent in the army because of alleged mismanagement and peculation in the commissary and supply departments. Swarms of deserters made their way into Mexico to Matamoras or took refuge with a body of Federals on the island of Santiago de Brazos. The conscript laws had become more and more severe, and young boys and old men were forced into the ranks. The discontent increased. Certain regiments were wholly unmanageable.<sup>1</sup>

The people were plainly growing weary of the burdens of a hopeless war. Sherman's march through Georgia, despite the ingenious explanations of the press, had shown the utter impossibility of ultimate success. Even General E. Kirby Smith, commander of the department, sought timely provision for the future as early as February 1st, when he offered his military services to Maximilian in case of the overthrow of the Confederacy.<sup>2</sup> Nevertheless, when the news of Lee's surrender reached Texas in the latter part of April, it produced consternation. While it was discredited and denied at first as a "Yankee rumor," then too fully confirmed, hope was held out still that most of the army had

<sup>1</sup>Magruder to Boggs, *Official Records, War of Rebellion*, Series I, Vol. XLVIII, Part II, 1271.

<sup>2</sup>*Official Records, War of the Rebellion*, Series I, Vol. XLVIII, Part I, 1359.

escaped and were with Johnston. Anxiously tidings were awaited from this general. There was a widespread belief that he was about to cross the Mississippi and join with Kirby Smith. Then came the crushing news of his surrender to Sherman. The next attack of the Federals would be upon Texas. All was gloom and anxiety.

A desperate effort was made to preserve a bold front. Governor Murrah and Generals Smith and Magruder made speeches and issued stirring addresses urging the soldiers to fight to the last. Patriotic editors demonstrated conclusively that it would be impossible for the Federals to invade Texas and maintain themselves in its vast stretches without a year's preparation; and that meanwhile help could be secured from abroad, or at least better terms would be offered than had been granted Lee and Johnston. Everywhere public meetings were held and citizens pledged themselves never to submit to Northern tyranny or to abandon the cause of the South. Meetings of a similar nature were held in the army in the effort to revive the waning devotion of the discontented and the disheartened. Most of these army meetings were meagrely attended; many of the men held aloof while others attended in order to pass resolutions expressing withering contempt for the war meetings of "exempts and details," and bitter hatred of the cotton speculators, upon whom they placed the blame for the failure of the war.<sup>1</sup> But meetings and speeches and valiant "last ditch" resolutions were all in vain. The majority of the soldiers were convinced that the war was over because it was so evidently hopeless. The accumulated discontent of the past month expressed itself in desertion. Magruder declared as early as April 29 that the men at Galveston were deserting by tens and twenties every night.<sup>2</sup>

In the meantime by order of Grant, General Pope had despatched Colonel Sprague to Shreveport to demand of Kirby Smith the surrender of the Trans-Mississippi Department upon the same terms that were granted to Lee. Smith immediately, May 9,

<sup>1</sup>*The Tri-Weekly Telegraph* (Houston), April 26, and throughout May, 1865; *The Patriot* (La Grange), May 6 and 20, 1865.

<sup>2</sup>Magruder to Boggs, *Official Records, War of Rebellion*, Series I, Vol. XLVIII, Part II, 1291.

rejected these, hoping to obtain more liberal terms. With a view to determining upon methods and means of resistance or suitable conditions of surrender, he had just before this summoned to meet him in conference at Marshall, Governors Allen of Louisiana, Murrah of Texas, Reynolds of Missouri, and Flanigan of Arkansas. All attended save Murrah, who was ill, but who sent Colonel Guy M. Bryan of his staff to represent him. It was determined to endeavor to secure more favorable terms, and meanwhile to concentrate the forces of the department at Houston to resist an expected attack upon Galveston. On May 13 the members of the conference drew up a set of terms which they ventured to demand, hoping to preserve the political integrity of their States. In substance these demands were: That officers and soldiers were to be allowed to return directly to their homes; immunity was to be guaranteed against prosecution for offences committed against the United States during the war; officers, soldiers, and citizens were to be allowed to retain their arms and to leave the country if they so desired; the existing State governments were to be recognized until conventions could be called "to settle all questions between the States;"<sup>1</sup> and after a certain date each State should be allowed full military authority within its own borders for the preservation of order. This conference at Marshall is notable more for what it hoped for than for what it accomplished. General Pope had already expressly disclaimed any authority to settle political questions.<sup>2</sup> Nevertheless, Sprague, who had been detained for this purpose, now returned to Pope bearing these demands and a letter from Smith urging reasons for their acceptance, which were chiefly the expense of prolonging the war and the possibility of "foreign complications."<sup>3</sup> The Confederate authorities had already spent much vain effort in endeavoring to entangle Maximilian and the French in Mexico in an imbroglio with the United States. On May 2

<sup>1</sup>An expression which betrays the strong "States' rights" feeling of the conferees. Any suggestion of the authority of the national government over the States was carefully avoided. The chief "question" involved was, of course, the continuance of slavery.

<sup>2</sup>The members of the conference sought to send Governor Allen to Washington to urge the acceptance of the proposed terms, but he was not permitted to go.

<sup>3</sup>For the Marshall conference, see *Official Records, War of Rebellion*, Series I, Vol. XLVIII, Part I, 186-194.

Smith had made a last attempt to arouse the anxiety of the Mexican emperor at the prospect of having the distinctly hostile power of the United States re-established on the Rio Grande.<sup>1</sup> But such hopes were futile, if indeed Smith expected any realization of them.

## II. *The Break-Up and the Surrender.*

Hardly was the Marshall conference concluded and the counter-demand for terms despatched to Pope when Magruder sent word from Houston that, on the night of the 14th of May, four hundred of the troops at Galveston had attempted to desert the post with arms in their hands, but had been persuaded by Colonel Ashbel Smith, aided by a couple of other regiments, to remain a while longer. The troops were all becoming unmanageable, Magruder further reported; they had lost their fighting spirit and could not be depended upon. They insisted upon dividing the public property before leaving, and he thought it best to comply with this demand and to try to send them away to their homes as quietly as possible.<sup>2</sup> Almost immediately came similar reports from Brownsville. The commander at that place reported that at least one-half of his troops had deserted because they thought it was of no use to fight longer, and that war meetings and speeches had no effect upon them. The troops that remained could not be depended upon.<sup>3</sup> Similar accounts came from other points. In many places the soldiers had taken possession of the government stores, sacked them, carried off what they could, and gone home.

The situation was fast becoming desperate, indeed. Without waiting for a response from Pope, Smith immediately despatched General Buckner as commissioner to General Canby, commanding the United States forces at New Orleans, to take up again the question of terms of surrender. He then ordered the evacuation of Galveston and, preparing to concentrate the Texas troops at Houston, he removed his headquarters thither. Before he arrived, about May 29, his army had disappeared. The long dreaded break-up had come.

<sup>1</sup>Smith to Rose, *Official Records, War of Rebellion*, Series I, Vol. XLVIII, Part II, 1292.

<sup>2</sup>*Official Records, War of Rebellion*, Series I, Vol. XLVIII, Part II, 1308.

<sup>3</sup>*Ibid.*, 1313.

The order for the evacuation of Galveston had been received on Sunday, May 21, and the movement began the next day. The troops perceived that the end had come and at once became unmanageable. Ranks were broken and almost the whole force swarmed up to Houston. Here a few men of De Bray's brigade maintained sufficient discipline to patrol the streets and preserve order. The city authorities were greatly alarmed, for wild rumors had flown about that the troops had threatened to sack and burn the town, and arrangements were hurriedly made by the mayor and citizens to feed them until they could be passed on through. Saloons were ordered closed, and the disobedient suffered confiscation and destruction of all liquors. For some reason the military patrol was suddenly withdrawn early in the morning of Tuesday, the 23rd. By 8 o'clock a crowd of some two thousand persons had collected before the doors of the Ordnance Building. It was broken into and speedily sacked. The mob then proceeded to the Clothing Bureau. Everything portable was taken. "Blankets, made-up clothing, bolts of domestic, buttons, flannels, shoes, mosquito bars, gray cloth, sides of leather, mule whips, hammers, head stalls, etc., all went into the division and were accepted as the new issue." Soldiers, citizens, women, negroes, and children participated. Some of the soldiers held aloof. The crowd was surprisingly quiet, and by 12 o'clock it was all over. The city authorities seemed paralyzed with fear. Later in the day other troops arrived from Galveston and finding the booty gone angrily threatened to pillage the town; but some of the citizens produced part of the stores and they were redistributed among the late comers. Hastily the mayor made provision for feeding them. Again a patrol, partly of soldiers, partly of citizens, was placed over the city and within a few days quiet was thoroughly restored.<sup>1</sup> As the disbanded soldiery swept on homeward up through the State similar scenes, on a lesser scale, occurred in many places. There had been no personal violence at Houston, nor was there elsewhere for a time. The soldiers simply took possession of Confederate, and generally of State, property wherever they could find it, alleging that as it had originally been collected for their use

<sup>1</sup>*The Tri-Weekly Telegraph* (Houston), May 24 and 31, 1865.

and, as they had protected it, they were the nearest heirs of the defunct Confederacy and entitled to this much of the estate. Added to this was the irritating conviction that while they had suffered hardships in the army they had not been adequately supported by the mass of those who had been allowed to remain at home, and that the resources of the country had been speculated upon and wasted by the incompetent or unprincipled men into whose hands they had fallen.<sup>1</sup> Nor did public opinion often condemn them. It was generally felt that the soldiers had a better right to the Confederate property than any one else.<sup>2</sup> Private property was generally respected, but that of the State frequently suffered. At La Grange the soldiers of Fayette county held a meeting on May 27 and appointed a committee to gather up all government property in the county and distribute it, looking especially to the interest of indigent soldiers or their families. At Huntsville they levied upon penitentiary cloth, and for a time a fixed amount was given to each applicant. The towns through which they passed, usually in squads, furnished them food—"they are masters of the situation," explains the Huntsville Item significantly. As they penetrated farther into the interior of the State they became more reckless. At La Grange and at San Antonio stores were openly pillaged. Governor Murrah, in an effort to save State property, issued a proclamation on the 25th to all sheriffs and other officers, enjoining them to gather up and preserve for future and more equitable distribution all property of the State and that of the Confederacy in which the State had an interest. It was impossible for this order to be very generally carried out. The widespread feeling of insecurity and tendency to disorder were not lessened by the presence of bodies of armed men marching towards Mexico. General Joe Shelby with a force estimated variously from three thousand to twelve thousand men was on his way to join Maximilian,<sup>3</sup> and levied upon the country as he passed along. Numbers of smaller groups, composed largely of late officials who had elected political exile were bound for the same destination. Governor Murrah had, on May 27, issued a call for a

<sup>1</sup>*The Tri-Weekly Telegraph* (Houston), June 16, 1865.

<sup>2</sup>*The Patriot* (La Grange), June 3, 1865.

<sup>3</sup>*San Antonio News*, May 30, 1865.

special session of the Legislature in July, and at the same time he proclaimed an election for a general convention. The program seems to have been "to adopt the speediest mode of harmonizing the State government with the new condition of affairs, to repeal the ordinance of secession, and to enact other legislation necessary to render Texas a faithful member of the Union." Neither the Legislature nor the convention ever met. It was soon apparent that civil officials would not be recognized by the Federal authorities. Helpless in the midst of the general disorder, from the highest to the lowest, they gradually ceased to attempt to perform their functions. In the absence of responsible authorities lawlessness increased. Jayhawkers, guerrillas, and highwaymen appeared. An attempt was made to capture and rob the penitentiary at Huntsville. The State Treasury at Austin, left without adequate protection, was looted. Predatory bands of robbers and jayhawkers infested all the roads between San Antonio and the Rio Grande. One stage was said to have been held up on an average of once every five miles on the road from Rio Grande City to San Antonio. Affairs were not much better in other sections. Here and there the towns began to organize local police or "home guards" and to clear the country round about. The newspapers besought the people to restore order, as it was the only way by which to obviate the establishment of a military government.<sup>1</sup>

Amid this scene of confusion Kirby Smith arrived in Houston about May 29. On the 30th he issued an address to the soldiers in which he declared that it had been his intention to concentrate the army at Houston, await negotiations and carry on the struggle until favorable terms could be secured. He was now left a commander without an army and, by destroying their organization, he declared, the men had thrown away their only chance of securing honorable terms.<sup>2</sup> On the same day he addressed a letter to Colonel Sprague of General Pope's staff, saying that the Trans-Mississippi Department was now open to occupation by United States troops, since the Confederate soldiers had disbanded. At the same time he declared his intention of leaving the country.<sup>3</sup>

<sup>1</sup>*Texas Republican* (Marshall, June —, 1865; *Tri-Weekly Telegraph* (Houston), June 16, 1865.

<sup>2</sup>*Tri-Weekly Telegraph* (Houston), June 2, 1865.

<sup>3</sup>*Official Records, War of Rebellion*, Series I, Vol. XLVIII, Part I, 193.

In the meantime his commissioner to New Orleans, General Buckner, had been discussing terms of surrender with General Canby. Buckner failed to secure the settlement of any political question, since Canby was not authorized to treat of those matters. However, a convention was finally agreed upon, May 26, providing, in substance, that the Confederate troops, officers, and men were to be paroled, and to return home, transportation being furnished them where possible. All Confederate property was to be turned over to the proper officers of the government of the United States.<sup>1</sup>

Before General Smith had arrived at Houston, General Magruder and Governor Murrah had made an independent effort to secure favorable terms of peace for Texas. On May 24, the next day after the sack of the military stores at Houston, they appointed Colonel Ashbel Smith and W. P. Ballinger as special commissioners to proceed to New Orleans and negotiate with General Canby or other proper authority of the United States for "the cessation of hostilities between the United States and Texas."

The commissioners arrived at New Orleans on May 29 and at once solicited a conference. They had seen in the newspapers a copy of the convention between Canby and Buckner, but hoped "to facilitate the prompt and satisfactory restoration of relations between Texas and the United States government." Canby granted the conference, but distinctly stated that he had no authority to entertain officially any questions of civil or political character. The Texas commissioners frankly stated at the outset the actual conditions in Texas—the mutiny and the break-up in the army, the seizure and distribution of Confederate property, the helplessness of the Confederate officials. The people, they said, were heartily tired of the war and ready in good faith to return to their allegiance to the government of the United States; but they were greatly concerned with respect to the course to be pursued by the national government. The commissioners suggested that, inasmuch as the machinery of the civil government of the State was still intact and the regular election of State officers under the constitution in force in 1860 was to fall due the

<sup>1</sup>*Official Records, War of Rebellion, Series I, Vol. XLVIII, Part II, 600.*

next August, that citizens of proven loyalty to the Union be allowed to proceed with this election. It would be a good policy to recognize the existing State government as a government *de facto* in preference to establishing a military government. They also pointed out the great evils to be feared from the dislocation of the labor of the State. There was more cotton in Texas than elsewhere, the crop was far along toward maturity, and its production involved the interest of all, white and black. It was of the greatest importance, therefore, that the negroes should be kept on the farms, and it was suggested that they be paid wages under proper regulations until the whole subject of labor could be properly adjusted.<sup>1</sup>

This conference was necessarily fruitless, for not only was Canby without authority to treat upon the subjects broached by the Texans, but the United States authorities were not likely to yield on a matter of such wide importance as even the partial recognition of the "rebel" State government. As the final effort of the State authorities to save something from the wreck, it is interesting; but it seems impossible that, knowing the outcome of the Sherman-Johnston treaty, they could have hoped for very much along this line.

On June 2 General Smith went on board a United States ship of war at Galveston and formally signed the Canby-Buckner convention. The last vestige of Confederate military authority now vanished. For three weeks, however, after the surrender, the Federals were not able to send an army to take possession of Texas because of the lack of transports.

Meanwhile conditions in the State grew worse. Wild rumors were afloat of dire punishments to be inflicted upon prominent rebels by the victorious Yankees. Trials for treason before military commissions and wholesale confiscation of property were to be expected. A sort of panic seized upon many of those who had held office under the Confederacy. Others declared they could not live under the odious rule of their enemies and prepared to emigrate. A lively exodus to Mexico ensued. Among those to go

<sup>1</sup>*Official Records, War of Rebellion, Series I, Vol. XLVIII, Part II, 648 675.*

were the highest officials in the State, Generals Smith and Magruder and Governors Clark and Murrah. This flight was bitterly resented by those who were left behind.

On May 29 General Sheridan was assigned to the command of the Military Division of the Southwest, headquarters at New Orleans. On June 10 he ordered General Gordon Granger to proceed with eighteen hundred men to Galveston.<sup>1</sup> Granger arrived at Galveston on June 19 and immediately, in conformity to instructions, assumed command of all forces in the State and issued orders declaring that by proclamation of the President all slaves were free, that all acts of the Governor and the Legislature of Texas since the ordinance of secession were illegal, that all officers and men of the late Confederate army were to be paroled, and that all persons "having in their possession public property of any description, formerly belonging to the late so-called Confederate States or the State of Texas," should turn it over to the proper United States officer at the nearest of the previously designated stations.<sup>2</sup> As rapidly as possible troops were pushed into the interior of the State and posted at the most important points. The military were to serve the double purpose of carrying out the provisions of the surrender and of preserving order until a civil government could be established. Most of the troops sent to Texas were ordered to the Rio Grande as a sort of demonstration against the French in Mexico. The rest were wholly inadequate to the efficient policing of the State. The posts established were widely separated and extensive districts, comprising sometimes several counties, were without proper surveillance; and this, too, at a time when society was convulsed with sudden and momentous changes and lawlessness was everywhere. Even under these conditions General Sheridan, to provide against local resistance or guer-

<sup>1</sup>Sheridan says in the dispatch: "There is not a very wholesome state of affairs in Texas. The Governor and all the soldiers and the people generally are disposed to be ugly, and the sooner Galveston can be occupied the better" (*Official Records, War of Rebellion*, Series I, Vol. XLVIII, Part II, 841). If by this it was meant that further resistance to Federal authority was contemplated, there seems to be absolutely nothing to support his statement. On the other hand, there was widespread disorder and lawlessness, but the reference could hardly have been to that.

<sup>2</sup>These were Houston, Galveston, Bonham, San Antonio, Marshall, and Brownsville.

rilla warfare, issued orders, June 30, that no home guards or bands for self-protection would be allowed anywhere in the State, on the ground that the military were sufficient for all such purposes. By the same order, neighborhoods infested by guerrillas were to be held responsible for the deeds of the latter,—an act characteristic of the harsh suspicion with which Sheridan always regarded Texas.

The military authorities now proceeded to confiscate all public property that could be found. Such as had belonged to the Confederacy or had been used in the prosecution of the war became the property of the United States, while that belonging solely to the State was held until the proper time should arrive for turning it over to the State officials. But very little of the public property had been left by the soldiers during the riotous days of the "break-up," and the Federals charged that the Confederate officials had not observed the terms of the convention and their parole. These charges, later reiterated, were undoubtedly unjust, for the soldiers had seized most of the property before the surrender, and afterwards the officers were unable to restrain them. Many commands, in fact, had never surrendered, but simply disbanded, as has been shown, even before the convention had been agreed upon at New Orleans.

### III. *The Cotton Troubles.*

But if most forms of Confederate property had disappeared or evaded Federal confiscation, it was otherwise with cotton. When the war closed there was scattered all over the country a considerable amount of unmarketed cotton, and as soon as hostilities ceased the holders were anxious to get it to market without delay in order to obtain the enormous prices then being paid for it. General Grant had given orders to the commanders in the Southwest not to interfere with its shipment since it was to the business interests of the whole country that it be marketed, and to encourage shipment in every way. The military were forbidden to institute inquiries as to ownership, but to leave it to the treasury agents to seek out such property as belonged to the government. <sup>1</sup> Accordingly, General Granger, upon his arrival at Gal-

<sup>1</sup>Instructions from Grant to Sheridan, *Official Records, War of Rebellion*, Series I, Vol. XLVIII, Part II, 639; Sheridan, General Orders, No. 3, *ibid.*, 713; Canby, General Orders, No. 65, *ibid.*, 694.

veston, issued orders to the effect that until the arrival of treasury agents all cotton would be turned into the quartermaster's department for shipment to New Orleans or New York, there to be sold to United States purchasing agents. Bills of lading were to be given and the owners were to be allowed to accompany the cotton in order to affect the sale.<sup>1</sup> This order was in force for little more than a month. Treasury agents soon arrived and swarmed over the State, seeking out and taking possession of everything belonging to the late Confederacy, especially cotton. Some of this cotton had actually belonged to the Confederate government; some had been set aside to pay the tax but had never been delivered; some had been purchased by the State Military Board but had never been paid for nor delivered; some had gone to pay State taxes and was now State property; but a great part had never been anything but private property. The greatest possible confusion arose in regard to the ownership of these various classes of cotton. The planter who had produced it was unwilling to give up, as Confederate property, cotton that had never been paid for, and he still claimed it as his own; nor, it must be confessed, was he always active in turning over that which had actually been paid for (in Confederate paper), or which had been raised for the government under the terms of an "exemption contract."<sup>2</sup> On the other hand, the claims of the treasury agents were sweeping. By order of the general agent for Texas, H. C. Wamoth, all personal property that was "actually or constructively in the possession of the Confederate States at the time of the surrender" was to be seized.<sup>3</sup> In all cases persons who wished to ship cotton from any point in Texas were required to give satisfactory evidence that the cotton for shipment was not "surrendered" cotton.<sup>4</sup> The burden of proof, therefore, was on the owner of the cotton.

It is obvious that in the confusion involving the subject and

<sup>1</sup>Granger, General Orders, No. 5, *Flake's Bulletin* (Galveston), July 18, 1865.

<sup>2</sup>An arrangement whereby a planter had been granted exemption from military service upon condition of raising a certain amount of cotton, corn, or beef for the Confederate government.

<sup>3</sup>*Flake's Bulletin*, August 30, 1865.

<sup>4</sup>F. H. Coupland in *Flake's Bulletin*, July 31, 1865.

incident to public affairs generally, it must have been no easy task even for the most upright and generous minded agent to keep clear of popular disfavor; but the almost unlimited powers delegated to these agents and the constant opportunities for fraud and speculation, with little danger of punishment, were in themselves demoralizing. There seems to have been a large amount of truth in the charges of fraud, robbery, and extortion that were made against so many of these officials. A petition to President Johnson, printed in the *Washington Republican* (Washington, D. C.), and signed by merchants, business men, and planters of Louisiana and Texas, declares that great frauds and acts of oppression were continually practiced by treasury agents in the matter of cotton; that the planters west of the Mississippi had rarely received anything in payment from the Confederate government, and had been informed by agents, military officials, and by the Secretary of the Treasury himself, that cotton not thus paid for or delivered would pass like any other cotton. Yet when the cotton had been sold to the merchant the treasury agent stepped in and took possession of it. Trade was paralyzed, capital made timid, and the planters were unable to sell their cotton or to hire the labor they needed.<sup>1</sup> A correspondent of the *New Orleans Picayune*, writing from Eastern Texas, gives an account of similar difficulties, and declares that every agent under whose inspection the cotton passed required new proof, which was always inconvenient to obtain.<sup>2</sup> Several cases of fraud came to light at Jefferson, Texas, where a treasury agent was later indicted on three distinct charges of fraud and swindling. He was released by the military authorities. Usually there was no recourse whatever for the parties claiming to have been wronged. A favorite device of the dishonest treasury agent was to hold back a lot of cotton from shipment under pretense of investigating the title until the owner was willing to give a bribe for its release. Sometimes he took possession of the cotton outright and shipped it on his own account. At other times he ordered it shipped to certain points at high rates and received a rebate on the transportation charges.<sup>3</sup>

<sup>1</sup>See *Flake's Bulletin*, September 6, 1865.

<sup>2</sup>*Ibid.*, August 30, 1865.

<sup>3</sup>H. Ware to L. D. Evans, correspondence of Gov. Hamilton, Archives of State Department.

These troubles involved only the cotton left over from the crop of 1864, but so slowly was that crop marketed that they did not cease until the beginning of 1866.

#### IV. *The Negro Question and Labor Conditions.*

The turmoil and confusion of the "break-up" and the general dread of all that a military occupation might entail had at first diverted public attention somewhat from the most serious problem that the close of the war had forced upon the people of the South. What was to be done with the negro? Was he to be set free, and if so, what measure of freedom should he have? How was his labor to be secured and so regulated that he should be an economically efficient member of society? What was to be his position in this society, in the broad domain of civil rights and privileges, and in political affairs? The magnitude of the problem was not at once appreciated; for the time being public attention was engaged solely with that part which was of most immediate concern, the measure of freedom to be accorded to the late slaves and the best method of securing his labor. The other and more intricate phases of the question were of later development, and the contingencies which gave rise to them were then but dimly apprehended.

It had been long foreseen that in the event of Federal victory a change in the status of the negro would be inevitable. Indeed, the certainty of his emancipation in case of the failure of the South had been wielded as a goad to a "last ditch" struggle. Yet the Confederacy itself, in final desperation proposed to grant freedom to the slaves as a reward for military service. The plan came to nothing, for the Confederate government was then on the point of collapse. Then, too, slavery as a system had already been shattered east of the Mississippi by the presence of the Federal armies. In Texas, however, undisturbed by invasions, the institution had remained essentially unimpaired. But with the break-up of the Confederate armies and the approach of the Federals the changed status of the negro was now sharply emphasized. Long before Granger's proclamation at Galveston, June 19, it was generally known that the slaves would be freed. In some cases the planters anticipated the emancipation by setting their negroes at liberty;

sometimes the negroes themselves slipped away from their homes and began roaming about the country; but for the most part they were kept at home to await Federal action.

Even at this time, despite the attitude of the national authorities, there was considerable belief that slavery as an institution was not dead nor yet doomed to die. The *Marshall Republican*, the most important weekly of Eastern Texas, in its issue of June 16, reviewed the situation, describing the demoralization of the negroes, who were lapsing into vagrancy and consequent "filth, disease, and crime." The negroes would not work when once it was definitely known that slavery was to cease, and the crops could neither be cultivated nor gathered. The *Republican* affected to believe that "the ruinous effects" of freeing four millions of ignorant and helpless blacks would not be confined to the South, but that the blight would be communicated to the North, and that "the time would come when the people of that section would be glad to witness a return to a system attended with more philanthropy and happiness to the black race than the one they seem determined at present to establish; for they will find that compulsory labor affords larger crops and a richer market for Yankee manufacturers." The masters were advised, therefore, not to turn their slaves loose to become demoralized, but to maintain a kind and protecting care over them. "The amendment to the Federal Constitution abolishing slavery has not been ratified by three-fourths of the States, nor is it likely to be in the ensuing ten years. When the State governments, therefore, are reorganized it is more than probable that slavery will be perpetuated. We can tell better than at present how long it is likely to endure and prepare for the change." Emancipation, if adopted at all, should be gradual, but "there is but little reason to doubt that whether or not slavery is perpetuated in name, there will be a return to a character of compulsory labor which will make the negro useful to society and subordinate to the white race." The *Houston Telegraph*, while conceding that emancipation was "certain to take place," was of the opinion that paid compulsory labor would replace unpaid. Since the negro was to be freed by the Federal government solely with a view to the safety of the nation, his condition would be modified only so far as to insure this, but not so

far as materially to weaken the agricultural resources of the country. Therefore, the negroes would be compelled to work under police regulations of a stringent character. Under this happy system insolence was to be provided against on the one hand and injustice on the other.

Such seem to have been the hopes of the well informed. To men accustomed to dealing with the indolence of the negro in slavery, such a thing as successful free negro labor was absolutely unthinkable. No other than negro labor seemed available on the great bottom farms of the "black belt"; without this labor the planting interests were threatened with ruin; and, moreover, to leave the negro the prey of the vice and misery certain to result from idleness and vagrancy would be criminal. Compulsory negro labor, then, seemed the natural and necessary arrangement. It was clear enough, too, that slavery as an institution, recognized by the constitution, could not be abolished by proclamation, and that three-fourths of the States would adopt an amendment abolishing slavery seemed preposterous. Thus the life long beliefs and prejudices of the Southerner conspired with the exigencies of the situation to lead him into a policy which, certain to be distorted in reports given to the North, was in its reaction to force upon him the very things he would have feared most,—his own disfranchisement and negro domination.

Serenely unconscious of negro incapacity and unembarrassed by constitutional guarantees, the Federal military authorities proceeded to complete the work cut out for them. In his emancipation proclamation, issued at Galveston on the 19th of June, General Granger declared that in accordance with the presidential proclamation all slaves were free, and that this involved an absolute equality of personal and property rights between former masters and slaves, the previous connection between them becoming that between employer and free laborer. Mindful of the propensities of the freedmen, he advised them to remain at home and work for wages, and warned them that they would not be allowed to collect at military posts, nor would they be supported in idleness there or elsewhere.

As long as the regular army officials were in control, that is, until the officials of the Freedmen's Bureau arrived, efforts were

made to keep the negroes under strict supervision. In the published general orders of post commanders at various points during June and July, Granger's proclamation is reflected—the freedmen are repeatedly urged to stay at home and go to work for their former masters for wages; they are assured of their freedom and of protection from injustice, but are warned against vagrancy under penalty of being put to hard labor without compensation; and in many cases they are not permitted to travel on the public thoroughfares without passes from employers.<sup>1</sup> That the army officials failed to keep the negroes from vagrancy is not surprising. The army posts were too far apart to keep all communities under surveillance, and the freedmen themselves were too ignorant to understand that their new freedom did not mean immunity from work, and that they could not be fed and clothed forever by their liberators.

The military officials made no effort at first to superintend the drawing up of contracts between the freedman and his employer, nor to act for the freedmen in stipulating wages or other terms. The provost marshal general for Texas, Lieutenant-Colonel Laughlin, issued a statement that negroes would be allowed to make contracts with whomsoever they wished, and that both parties would be held to the terms of the contract; that "unless other regulations are promulgated by the Freedman's Bureau," the amount and kind of consideration for labor should be *entirely* a matter of contract between the employer and the employees.<sup>2</sup> Perhaps it would have been better if the rate of wages had been fixed in some way, for some contracts were practically nullified later by the Bureau. It had frequently happened that a planter, not feeling able to pay wages,—for ready cash was scarce, political conditions unsettled, and the outlook uncertain,—had arranged for his freedman to work temporarily for food and clothing for himself and family. In most cases the freedman was to receive a part of the crop in the fall. To the childlike negro, concerned only with the immediate present, there was no difference between this and his old condition as a slave, and he soon wished to leave.

<sup>1</sup>General Orders published in *Texas Republican*, June 23, 1865; *Tri-Weekly Telegraph*, June 30 and July 5; *Flake's Bulletin*, July 18.

<sup>2</sup>*The Tri-Weekly Telegraph*, June 28, 1865.

From a few sections the reports were favorable—the blacks were making contracts and remaining at work;<sup>1</sup> but as the summer wore on complaints came from all sides that vagrancy, theft, vice, and insolence were increasing, and that where negroes had made contracts they broke them without cause, often leaving their families for their employers to feed.<sup>2</sup> The *Houston Telegraph* thought it necessary to warn the people not to allow themselves to develop a feeling of hostility and bitterness toward the blacks, who, although they were doing very many foolish and vexatious things, were “not responsible for their own emancipation.” It would have been well if the whites generally could have shown this tolerant spirit; but for his former master to show indulgence to the freedman who broke his contract when it suited his whim, disobeyed orders just to see how it felt to be “free,” and spent most of his time “visiting around” when the crops were most in need of work, was more than could be confidently expected of the average employer. For the time being, fortunately, in the southern part of the State, where the demoralization was worst, the crops were already well advanced and would need but little attention until fall. In the north and northeast, where the Federal troops had not yet penetrated, the negroes had shown less inclination to wander about, or else their former masters had taken steps to keep them at home. While in a few instances these planters endeavored to keep their negroes in ignorance of their freedom, in most cases their efforts took the form of combinations among ex-slave holders to control the labor of their former slaves; and usually each planter agreed to hire no negro without the consent of his former master. Sometimes freedmen who broke contracts and went away were brought back by force, and in some cases the planters were guilty of needless cruelty. The army officials generally endeavored to hold the negroes to their contracts, but at the same time they refused to allow coercion on the part of employers.

The discontent grew steadily worse and found expression in a more and more insistent demand, chiefly on the part of planters

<sup>1</sup>Communication to *Tri-Weekly Telegraph*, June 28, 1865.

<sup>2</sup>*Tri-Weekly Telegraph*, July 7, 1865; *San Antonio Herald*, July 9; *Jefferson Bulletin*, August —; *Caddo Gazette*, August —; *Texas Republican*, August 18; *Southern Intelligencer*, September 29.

and newspapers in the interior, for State regulation of black labor. The *Telegraph* alone pointed out that the "North would not likely allow the South thus to enjoy the fruit of the contest over slavery after having lost the contest," and advocated securing the immigration of white labor.

Conditions in the black belt did not materially improve during the summer. There was much uneasiness because of persistent rumors that negro troops were to be sent to Texas for garrison duty; for it was generally felt that their presence could only aggravate the situation and might make it positively dangerous by inciting unruly negroes to lawlessness and precipitating racial disturbances. It was also known that the Freedmen's Bureau was to be established in Texas, and the anxiety and distrust that were felt as to its attitude on the labor question did not tend to alleviate the growing discontent. Public opinion had become skeptical of the ability of the army officials to provide the usual and necessary supply of black labor, and manifested a greater eagerness for the speedy restoration of the regular State government which could be expected to deal with the problem in a manner agreeable with the customs and social ideas of the people. For this reason, largely, the arrival of the newly appointed provisional Governor, A. J. Hamilton, who came to restore civil authority and set in motion again the machinery of State government, was greeted with expectant interest.

JOAQUIN DE ARREDONDO'S<sup>1</sup> REPORT OF THE BATTLE  
OF THE MEDINA, AUGUST 18, 1813.

*Translation.*

MATTIE AUSTIN HATCHER.

*Eastern Internal Provinces.*<sup>2</sup>

*The general commandant sends a detailed report of the battle he fought on August 18, 1813, in the country near the Medina, against the Anglo-Americans under the command of the rebel José Alvarez de Toledo; and asks for rewards for his officers and men.*<sup>3</sup>

Most Excellent Sir,

The ever victorious and invincible arms of our Sovereign, aided by the powerful hand of the god of war, have gained the most complete and decisive victory over the base and perfidious rabble commanded by certain vile assassins ridiculously styled a general and commanders.

Most Excellent Sir, I sent you information from the Villa of Laredo on the day I marched out with my army for this point to punish the rabble who occupied it. I accomplished this purpose by means of the requisite order which I had previously issued to Colonel Don Ignacio Elizondo commanding him to set out with his division and join me in the place called *Cañada de Caballos*, where, according to a careful calculation, I thought he would be

<sup>1</sup>Arredondo was commander of the Mexican forces.

<sup>2</sup>This line and those that follow were written on the title page of the report, and were intended to serve as a title. The italics are those of the editor.

<sup>3</sup>In the preparation of this translation a copy of the original report made by Joaquin de Arredondo to the viceroy, Félix María Calleja, on September 13, 1813, has been followed; but comparison has been made with a copy of the original made on April 6, 1817, to be sent to Calleja's successor, Juan Ruiz de Apodaca, as no action had been taken by the former. The original is found in *Historia: Operaciones de Guerra, Arredondo, 4, 1813-1820*; the copy sent to Apodaca, in *Provincias Internas, Vol. 104*. Only essential differences have been noted. Prefixed to the second report is the following letter of transmittal:

No. 574.

The general commandant of the Eastern Internal Provinces encloses a copy of the information given by him to your superior government on September 13, 1813, relative to the battle on the Medina; and petitions Your

able to do so. He did it, except that I had to wait four days for him. When he had joined me, I united his infantry and cavalry with mine to form a single army with these two divisions. This made the total number of my army eighteen hundred and thirty men, consisting of a force of six hundred and thirty-five infantry and eleven hundred and ninety-five cavalry. We continued our march from this point, after having halted for a few days' rest so that, during this time, we might explain and teach the most necessary and indispensable formations and maneuvers in an action or battle. It was necessary to do so, as Elizondo's men lacked this training. Finally, in this manner, I continued my march, filled with the greatest confidence because I noticed among my troops a decided enthusiasm and bravery, a remarkable serenity of mind, and an unusual patience with which they bore the fatigue of a march so long and painful, rendered so by the unfortunate time—it being summer—in which they passed through an unsettled country so extensive as that beyond Laredo, and in a most pitiful state of nakedness. The greater part of the troops were even barefooted and bare-legged; many had only a breech-clout. I observed also a most eager desire to engage, as soon as possible, the wicked rabble who had become famous on account of their cruel and unworthy deeds, and their pride resulting from the victories they had previously gained. By these means as well as by their strength and discipline, they had made themselves feared. My troops had

Excellency kindly to promote the officers of the enclosed list to the next higher rank, or to send a report to our Sovereign for his just decision.

Most Excellent Sir,

I send Your Excellency a complete copy of the detailed report which I made your superior government on September 13, 1813, relative to the battle which the army under my command fought, on August 18th of the same year, on the Medina, against the enemy composed of Anglo-Americans and rebel Spaniards under the command of the petty officer José Álvarez de Toledo, a deputy from the Island of Santo Domingo to the Cortés, and of a son of General Wilkinson.

Since the honor and fame achieved by my officers and men in this hard-fought battle came exactly at a time your predecessor could not reward them because the military ranks were discontinued by the Cortés, the whole army has remained without the recompense due it for bravery and hardships, in spite of the fact that the said predecessor volunteered to send a report to the supreme government. He thought, however, that it would be disregarded on account of the revolutions of that time. Your Excellency being a soldier and possessing preëminent abilities knows full well what a stimulus promotion is in the profession of arms. [This is] especially [needed now] since the provinces under my charge are again

not long to wait, Most Excellent Sir, for the end so anxiously desired.

On the sixteenth of last August, I camped with my army a league and a half this side of the place called *Rancherías* (having observed throughout the whole march the strictest precaution and vigilance which military skill teaches). From this point, I sent out a corporal and four soldiers as spies to reconnoiter the country and note the movements of the enemy with orders to advance as far as this capital, if on their journey, they heard no rumors of the mob; for I had no information whatsoever of their location. But the corporal and four soldiers found numerous traces of people on foot and on horseback, and they, therefore, returned to give me the proper information. In view of this, on the eighteenth, before starting on my march—which I directed toward the River Medina, proposing to change my course in order to cross it by a different road from the direct one as I remembered that this was a cañon which would give an advantage to the enemy if they wished to form an ambush in the wooded space covering it—I sent forward Lieutenant-Colonel Don Ignacio Elizondo with one hundred and eighty cavalymen directing him to proceed with the greatest caution and vigilance until he saw the enemy, and then to make, as far as possible, a careful observation of their number, but not to engage them in battle unless he thought himself strong enough to inflict an exemplary punishment upon them; and, if not, to keep up a slow fire while retreating to give me prompt in-

menaced by the guerilla chief Mina and the mob which he has collected of which I have given information to your government.

Considering all this, I hope Your Excellency, exercising the vice-regal functions given you, will be kind enough to favor by an advance of one grade in rank, the officers mentioned in the appended list with a statement of their present rank; and send me the dispatches necessary for having them confirmed. In case Your Excellency feels any hesitancy in conferring the ranks asked for, you will please send a report, with your favorable recommendation, to our Sovereign, Don Fernando the Seventh, for his royal disposition.

God guard Your Excellency many years.

I am, most Excellent Sir,

Joaquin de Arredondo.  
(Rubric.)

Monterey, April 6, 1817.

The Most Excellent Señor Viceroy of New Spain.

[A memorandum reading, "An account was given his majesty in letter No. 327 of April 30, 1817," is appended to show what action was taken by Apodaca.—M. A. H.]

formation that I might make my plans. I informed him of the place at which I had arranged to cross the Medina River, and of the road, which was a short-cut, so that he might follow it in his retreat until he joined me. He set out at five o'clock in the morning with the number of officers necessary for the force he had, among them being two of my aides-de-camp Lieutenants, Don Luis Gómez de Castrejón of the first Vera Cruz battalion, and Don José María Céspedes of the veteran presidial company of Bahía del Espíritu Santo, who came to me and begged to be allowed to join this expedition. At a short distance from the above mentioned Medina River, Alferes Don Francisco López was separated from the main party. He was seen by the enemy, and they instantly fired a volley at him; but, by a miracle, no damage was done him. In view of this occurrence, Elizondo instantly (and it must have been about eight o'clock) commanded that the line be extended and that answer be made with a rapid and well directed fire. The enemy charged bravely and with their whole force so that a circle was almost formed about him. Elizondo, seeing this arrangement, the large number of the enemy, and remembering my orders, commanded his troops to turn about and begin their retreat, keeping up a regular fire. As fast as he gave ground, the enemy advanced. During this maneuver, after a short space of firing on both sides and various discharges of cannon by the enemy, the firing stopped, because our troops faced the open country. This was as much to see the movements of the enemy more clearly as to take breath or rest from the fatigue that had been endured so long. Almost immediately, the rabble began to direct their fire with more vigor and force, advancing boldly. They were calmly answered by our troops who were again forced to retreat in the same manner as in the first engagement. At this juncture, Elizondo sent me the information necessary for precautionary measures and plans. I instantly responded by ordering my line extended and placed in battle array, and I sent to his relief one hundred and fifty cavalymen and two 1½-pound cannon under the orders of Reverend Lieutenant-Colonel Don Juan Manuel Zambrano. The engagement was soon ended, the enemy having suffered some losses. On our side, two soldiers were wounded, one gravely; and some horses were injured. My *aide-de-camp*, Lieutenant Don José María Céspedes, had been detailed to give me

private information of what had happened. He followed orders exactly; and, on his way, met with the reinforcement I had sent out under the command of Lieutenant-Colonel Zambrano, whom I reminded of my orders to Elizondo not to undertake any action upon any pretext whatsoever, but to continue luring the enemy on as I was following him with my army. I followed after him, but abandoning my first plan, I ordered the army to form in line; and resolved to attack the rascals. This officer joined Elizondo, and his arrival was noted by the enemy. They thought it was the entire strength of the army for they believed it to be my troops. They, therefore, resolved to pursue Elizondo even more hotly. Under this misapprehension, they charged again, showing even greater bravery, and keeping up a slow fire. The valiant troops of our beloved Sovereign hesitated not a moment in answering them, accompanying their fire with a cannonade which was kept up until the enemy's force could not advance from fear of the damage they might suffer from our balls. Elizondo beat a hasty retreat. As he was absolutely unable to resist so strong a force, to have attempted such a thing, would have been to sacrifice his whole division, to fail in carrying out my orders, and consequently to place this hard fought battle in doubt. In the meantime, I continued my march with my army drawn up in column, when I saw the haste with which Elizondo was retreating to join me with his troops (at which moment was formed the line of battle). He had been forced to abandon the two small cannon to the enemy. Believing that they were already glorious victors and masters of the field, and had only to take the spoils—as they thought our troops were fleeing—they advanced bravely yet blindly; but found themselves confronted by the main body of our army formed in line for attack, with the artillery placed on the flanks of the cavalry. This surprised the rabble, and halted them for the purpose of restoring order. They did this, being aided by the great number of oaks with which the country was covered. Having formed in perfect line—and this was seen by the company of guerillas, under the command of the lieutenant of the regiment from Vera Cruz, Don Pedro Lemus, which I had detailed to reconnoiter—they advanced upon my army with great bravery until they came within pistol shot; but my courageous and intrepid soldiers, following my orders given through their brave commanders and officers, began

to return a lively, sustained, and well directed fire which was answered in like manner. So there was a very hard fought battle, reaching the extreme of having their artillery placed withing forty paces of our. We kept up this fierce struggle for more than two hours and still no decisive result was recognized by either side. Seeing such strong and obstinate resistance, and the extreme damage which our fire did their troops, their excommunicate chief, José Álvarez de Toledo, tried to surprise us on the right and the left wings and in the rear. But he was not so quick in his movements as I was in commanding an advance guard sent out on both wings and a considerable picket force detailed as a rear-guard, under the command of the *aide-de-camp* of the major-general, Alferes Don Vicente Arreola, to take charge of the supplies and horses. I did not form a square as my force was not sufficient for this maneuver. Most Excellent Sir, much advantage was obtained by this prompt arrangement, because the mischievous designs and the fire of the enemy were met on all four sides. After three and a half hours of this determined and hard fought conflict, it was seen that victory was on our side; for the most obstinate Anglo-Americans had been completely routed. Seeing this, I ordered the music to start up and my drummer to beat the reveille. This had such an effect on my troops and reanimated them so much that it seemed as if they were going to advance. Confusion now seized upon the enemy; and they began to abandon their artillery. I, therefore, ordered a detachment to advance on the right to seize it. The commander of the infantry, Don Antonio Elosua, advanced on the left with another detachment for the same purpose. At the same time, I ordered the cavalry to set out in pursuit of those who had already fled. They did this with intrepidity and decision, putting to death as many as they found on the way, and penetrating as far as the Medina River. Consequently, after four hours of this bloody battle we were masters of the enemy's ground. I therefore ordered it to be examined, and the arms, the park of artillery, and whatever else might be found to be collected. This was done with the greatest minuteness, under the direction of the infantry and cavalry commanders, my *aides-de-camp*, and the other officers, who reported to me that the field was covered with dead bodies to the number of about a thousand. The greater part were Americans, among them

being the son of General Wilkinson, Colonel Menchaca, and many other officers of the rabble. The field was covered with many wounded as has been verified by numerous reports. Their arms, their park of artillery, prisoners (who have been executed as a just punishment for their crimes), and whatever else was found were seized.

Report No. 1, which I respectfully enclose to Your Excellency, shows what was taken from the enemy during the battle on the eighteenth and likewise upon entering this city; and No. 2 shows the loss which was sustained on our part.

In order to make sure of the seizure of those who fled early in the action—principally the Tonkawas, Taovayases, Tawakanas, and the Lipans who were the first—I sent out Lieutenant-Colonel Don Ignacio Elizondo with a force of two hundred cavalymen to apprehend them, ordering him to come to this city for that purpose, and to take possession of it, of the cannon which were left, and of whatever else the rabble might have saved from the property they had stolen. He fulfilled his commission perfectly and to my entire satisfaction; for on his way he seized some prisoners, and likewise captured many in the city who had escaped during the action and other rascals who are usually included among the malefactors composing such an army. He also seized the cannon. He found only a few true and faithful vassals of our Sovereign and some supplies all of which has been of but little value in view of the fact that upon his arrival, a few of the officers who had fled, made off with their families carrying away the best of everything as they had arranged to do in case they lost the battle. Therefore, the property found was for the most part that belonging to Salcedo, Herrera, and Captain Arcos—victims sacrificed by the wicked cruelty of this band of rascals—and these were turned over to their representatives and son.

Most Excellent Sir, with only sixteen hundred brave, intrepid and invincible soldiers—since the rest were employed in guarding the horses and supplies—I had the satisfaction of engaging three thousand, two hundred of the enemy. And they were well-armed throughout, full of pride, well disciplined, and versed in military tactics. This was due as much to the previous military training of the traitorous Spanish soldiers and to that learned from the Anglo-Americans as to the instruction recently given by their

rebel leader, José Álvarez de Toledo, to groups of these wicked peasants. Toledo's skill and talent are known since they are proved by the place he held under the Sovereign as lieutenant of the navy, by the battles he has fought, and by the office he held as deputy to the Córtes from the Island of Santo Domingo. But the bad temper, the wicked conduct, and evil inclinations of this traitor led him to this place. Therefore Your Excellency, will consider the great state of discipline of this rabble as compared to the forces employed in the present rebellion.<sup>1</sup> For, however much ability as a commander the officer in charge may have, of still greater value is the discipline which enthusiasm enfuses among his subordinates who are stimulated by his example.

The cunning of the traitorous Toledo operated in such a manner that by it and by his tricks he gained the affection and high regard of the army which occupied this city. Therefore, he supplanted the rascally Bernardo Guiterrez to such an extent that the latter had to resign his generalship and go the United States. The command fell to Toledo, and, therefore, his force was augmented by the outlaws from the neutral ground.

On the day after the expedition of Lieutenant-Colonel Don Ignacio Elizondo, I marched with my army to this city which I entered without incident. Here I at once learned of the flight of some of the leaders who, with their families, their supplies, and various rascals, had fled, as did the traitor José Álvarez de Toledo (reported wounded). I therefore ordered the above mentioned lieutenant-colonel, Don Ignacio Elizondo, to set out with five hundred men, instructing him to march to Nacogdoches, attack that place, and to see, if on his way, he could succeed in apprehending any of the fugitives. The result of this to date is shown by a report enclosed. I must remind Your Excellency that I entrusted this officer with the principal expeditions not because the others with me lacked equal skill and willingness, but because of the knowledge he has of the country. In fact, the most skillful of them all, is Lieutenant-Colonel Don Cristóbal Domínguez, but he performs the duties of quarter-master and major-general of the army.

As a result of the defeat which the enemy suffered, the first who fled carried the news to the presidio of Bahía del Espíritu Santo;

<sup>1</sup>That of Mina.

and hence the small number of the rabble who were there left at once. Therefore the large number of royalists living there were able to seize only the slow ones who did not flee with the rest. Eleven of them were put to death and due information was sent me. This I received on my way to this city. For this reason, I sent out from this place eighty men for the protection and regulation of this presidio under the orders of the captain of the cavalry from Nuevo Santander, Don Luciano García.

Most Excellent Sir, in spite of my limited abilities, I have found no difficulty in making clear my narrative thus far; but I can not find words to picture to Your Excellency the bravery, intrepidity, determination, enthusiasm, patriotism, and good order of the officers and troops which I have the great honor to command. For, however much I may say, I think that still I do not succeed, considering to what extent such praiseworthy incidents as those of the eighteenth which have given renown to this most wonderful army, proved the worth of my men. I will, therefore, omit a detailed mention of them as I am persuaded that from the foregoing and in view of the fierceness of the battle, a proper and judicial judgment will be formed. Hence, to a certain extent I avoid taking Your Excellency's time which is so valuable considering the present state of affairs, the successful outcome of which demands your best and most careful consideration. Therefore in the discharge of my duties and in order not to lose sight of the justice which would be neglected should I fail to do so, I recommend, particularly, to Your Excellency, Colonel Don Cayetano Quintero captain of the cavalry of the province of Nuevo Santander, second officer of my army, and commander of the right wing of the cavalry, who, in addition to his extraordinary merits and previous services, proved his bravery and his ability in maneuvering his wing upon this occasion. He was wounded in the left arm and bruised on the breast. I recommend to you Lieutenant-Colonel Don Cristóbal Domínguez, assistant inspector of these provinces, who performs the duties of quarter-master and major-general of the army. Since holding this office, he has discharged his duties to my entire satisfaction, in the same manner as in all former positions. He proved his valor in this action for he kept watching the lines even in the thick of the fight in order that he might maintain order and transmit my commands. I recommend

my *aides-de-camp* Lieutenant Don Luis Gómez de Castrejón of the Vera Cruz regiment of infantry, Lieutenants Nicolás del Moral; Don Juan María Martínez; and Don José María Céspedes of the presidial company of Bahía del Espíritu, who were no less worthy than the others; for, even in the heat of battle, they too went up and down the lines to communicate my orders. This they did with coolness and bravery. Castrejón participated in all the movements led by Elizondo except the last engagement at Nacogdoches, while Céspedes took part in the first. I recommend the commander of the Vera Cruz battalion of infantry, Captain Don Antonio Elosua, who has on various occasions proved his valor, intrepidity, and willingness. He did so for me on this occasion, most efficiently ordering his battalion and encouraging his soldiers. He advanced with a detachment from his battalion and seized the enemy's artillery on the left. I recommend Brevet Captain Don Antonio Zárate for his zeal in sustaining and encouraging his troops; for, in spite of having been wounded in his right thigh, he did not even discontinue his duties. I recommend Lieutenant Don José María Hernández, Don Antonio Santa Anna, and Don Pedro Lemus who conducted themselves with great bravery, the latter having placed himself at the head of his company after having served in the guerilla troop. I recommend Don Cenobio de la Chica of the same rank; second-lieutenants Don José Ybarra, Don José Nieto, and Don José Turincio. The last managed his troops with skill and was one of the first to carry out my order for forming the advance guard. I recommend the second lieutenant of the Tula volunteer company of infantry, Don Pedro Zepeda, who with his company in no point fell behind the Vera Cruz battalion; the brevet second-lieutenant, Don Francisco de la Hoz, who in spite of a wound in his left thigh led his company to within three hundred paces of the enemy on foot, not being willing to be taken up, as was offered by his superior commander. In his rank I recommend Don Francisco Arizmendi and Don José Torres. All of the rest of the commanders of the battalion conducted themselves with honor, the most noticeable being Don Juan García and Alferes Don Tomás de Oquillas. The latter was slightly wounded. I recommend the artillery officer, Don Francisco del Corral, captain of the Vera Cruz regiment, who in addition to his merits and previous services, on this occasion, proved to me his valor, calmness,

and willingness in the management of the troops he had under his charge, maneuvering them with the greatest boldness and rapidity in firing. During the four hours that the action lasted nine hundred and fifty shots were fired. They were marked by way of precaution and therefore the number was known. These were fired from seven cannon; for, although at first, the number was eleven, two had been taken by the enemy and two dismounted. I recommend the sergeant of the royal artillery, Brevet-Alferes Don Francisco Castro, who likewise fought and was injured; and the lieutenant-colonel of the army, Don Ignacio Elizondo, commander of the left wing, who conducted himself with the greatest courage and bravery. In addition to the movements which this report records him as leading, he worked hard to encourage the troops under his command, and distinguished himself particularly by the success with which he led out his cavalry against the enemy, managing in every particular with the greatest skill. I recommend all the other officers of the cavalry, Captains Don Ignacio Alcalá, Don Manuel Zozaya, Don Miguel Paredes (who was wounded), Don José María Torralba, Don José de Jesús Rodríguez, Don Ignacio Pérez, Don Francisco del Prado, Don Luciano García, Don Félix Pérez, Don Nicolás Benites, Don José Antonio Flores, Don José Ignacio Treviño, Don Isidro de la Garza, Don Manuel de Oca, Don Vicente Flores; Lieutenants Don Miguel Serrano, Don Andrés Barragán, Don Rafael Doria, Don Matías and Don José María Ximenes, Don Vicente Blanco, Don Jesús García, Don Juan José Elguezabal, Don José María Guillén, Don Andrés Farías; Alfereses Don José Antonio Benavides, Don Pedro García (who was wounded), Don José María Nabagra, Don Francisco de la Garza, Don Francisco López, Don Gabriel de Arcos, Don Valentín Rubio, Don Manuel de la Garza, Don Matías Guillén, Don Juan José Sánchez, Don Enrique Villareal, Don Fernando Rodríguez, Don Ramón Espinosa, Don Narciso Rodríguez, Don Manuel Barragán, Don Ignacio Treviño; the brevet-alfereses Don José María Zamora, Don Manuel Nogara, Don Vicente Arreola, Don Domingo García, Don Jose Cavazos; the cadets Don Manuel Ruiz (who was

<sup>1</sup>The name of the lieutenant of the company of patriots from Laredo, Don Andrés Farías, who volunteered to join the expedition and was allowed to do so by Arredondo, is included at this point in the copy sent to the viceroy in 1817; but, since the name occurs earlier in the list, this repetition must have been by oversight.

wounded), Don Domingo Ugartechea, and Don Cayetano Garza. All these conducted themselves with courage, ardor, and enthusiasm when ordering their troops and otherwise fulfilling their duties. I, therefore, do not mention any of these individually. I recommend Reverend Lieutenant-Colonel Don Juan Manuel Zambrano, who conducted himself in the same manner, and who was wounded; the surgeon-major of the army, Don Miguel Pagés, who more than succeeded in proving his valor. He carried off the wounded from the ranks when, on account of the gravity of their injuries they were down; and, having carried them in his arms a short distance, he put them down together; and then calmly proceeded with his ministrations, acting as an officer by re-forming and encouraging the troops, and even as a common soldier by carrying cartridges for the men. I recommend Chaplains, Bachelor Don Miguel Campos; the curate of this city, Don José Dario Zambrano; Don Manuel Camacho; Don Andrés Malano; Don Francisco Treviño; Don Florentino Ramos; and Don José Antonio Valdés who vied with each other in performing the duties of their office. I recommend the sergeant of the first orderly company, Tiburcio Garza, and the corporal of the Nuevo Santander militia, Mateo Sotello who saved my life; for, when my corporals were behind me the former saw one of the enemy aiming at me. They advised me instantly, and I moved. In short, Most Excellent Sir, everyone has proved his love, loyalty, patriotism, and valor in defending the sacred rights of our beloved Sovereign, and of our dear country on this occasion which was really a most interesting one. They, consequently, deserve the recompense the country and the government representing it knows so well how to bestow generously upon its loyal and faithful servitors. The valor, calmness, and intrepidity with which the troop fought is inexpressible, reaching its highest point in the infantry. Some of them, even when wounded by bullets, did not wish to leave the ranks; and, in fact, did not do so, until so weak from the loss of blood that they fell. Others, having as many as two bullet wounds, continued until they received another. By this they completely eclipsed their former glory. The cavalry also conducted itself with no less bravery. Its heroes deserves the most marked attention, and are worthy of the highest eulogy and commendation. I can not but recommend to Your Excellency, the families of the brave men who sacrificed their

lives on the field of honor, in order that you may grant them such rewards as are due them.

God guard Your Excellency many years,  
Head-quarters, San Antonio de Béxar,

September 13, 1813,

I am, Sir,

Joaquin Arredondo.

(Rubric)

The Most Excellent Señor Viceroy, Don Félix María Calleja.<sup>1</sup>

<sup>1</sup>The copy, signed by Vicente Arreola because of the illness of the secretary, is dated Monterey, April 6, 1817. The promised report to the king was not made until after the receipt of the second report; in fact, on April 30, 1817.

Report Showing the Cannon, Fire-arms, Side-arms, Supplies and Tools Taken from the Enemy in the Battle of the 18th of August, on the Medina and in this City.<sup>1</sup>

Cannon, 8 lb.....	lb
Cannon, 6 lb.....	lb
Cannon, 3 lb.....	lb
Cannon, 2 lb.....	lb
Cannon, 1 lb.....	lb
Medium sized gun-car- riages.....	gun-car
Medium sized gun-car- riages.....	gun-car
Artillery fore-carriages, useless.....	gun-car
Wheels, useless.....	gun-car
Ammunition carts.....	gun-car
Ram-rods.....	gun-car
Sponges.....	gun-car
Wad-hooks.....	gun-car
Brackets, for cooling (can- non).....	gun-car
Priming-horns.....	gun-car

<sup>1</sup>Many of the technical terms in this list were very difficult to translate, and I do not feel sure of their exact meaning. On two of the words, *argutrices* and *albellanas*, I could get no satisfactory light at all. Especial thanks are due to Mr. W. E. Dunn for help on the difficult words. Mr. F. C. Ostrander also rendered valuable assistance on the technical words of this list, while both he and Miss Alice Hubbard gave useful suggestions for the general translations.

<sup>2</sup>The copies of this and of Number 2 following made April 6, 1817, were signed by Vicente Arreola on account of the illness of the secretary.

## Number 2.

Report showing the dead, wounded, and missing members of the Eastern Army in the battle against the rabble occupying the city of Bexar, on August 18th last, on the Medina:

First Battalion of Vera Cruz Infantry.	Dead.				Wounded.				Missing.			
	S.	D.	C.	P.	S.	D.	C.	P.	S.	D.	C.	P.
1st Co.....	1		1	2	2			13				
2nd ".....				5	1			16				
3d ".....			1	3	1		1	15				
4th ".....				1				9				2
5th ".....			1	1	2	1	1	10				
6th ".....				2				11				
7th ".....	1			5			3	14				
8th ".....				4			2	10				
Total of infantry.....	2		3	23			7	98				2
Cavalry reserve.....				3			2	8				
1st Squadron.....			1	7			2	25				
2nd ".....			2	4			1	14				
3d ".....				4				12				
4th ".....	1		2	3				6				
Total of Cavalry.....	1		5	21			5	61				

Resume.	Dead.	Wounded.	Missing.
Infantry.....	28	112	2
Cavalry.....	27	66	.....
Total.....	55	178	2

Note.—Colonel Don Cayetano Quintero, Lieutenant-Colonel Don Manuel Zambrano, Captain Don Luciano García, Don Miguel Paredes, Don Antonio Zárate, Lieutenant Don Pedro García, Alferes Don Tomás de Oquillas, Brevet Second Lieutenant Don Franco. de la Hoz, Don Francisco Castro and Cadet Don Manuel Ruiz are not included in this report, nor one hundred and sixty-five sergeants, drummers, corporals, and soldiers having bruises. In addition to these casualties, one hundred and seventy-three horses were wounded, and one hundred and nineteen were rendered useless.

Head-quarters, San Antonio de Bexar,

September 13, 1813.

Joaquin de Arredondo.<sup>2</sup>

(Rubric)<sup>3</sup>

<sup>1</sup>These initials stand for sergeants, drummers, corporals, and privates.

<sup>2</sup>See note 2, p. 233.

<sup>3</sup>In addition to lists No. 1 and 2 which were sent with the report of

September 13, 1813, a third list appended to the report of April 6, 1817, is as follows:

List of the officers and other members of the eastern army which the general commandant of the provinces of the same name, Brigadier Don Joaquin de Arredondo recommends to his Excellency, the viceroy of this New Spain, Don Joan Ruiz de Apodaca, for the rank next above that in which they are listed as a reward for meritorious conduct in the battle of August 18, 1813, fought on the Medina in the province of Texas.

*Rank.* *Names.*

*Veteran Infantry.*

Brevet Lieutenant-Colonel.....	Don Antonio Elosua.
Captain.....	Don Francisco del Corral.
Lieutenant.....	Don José María Hernández.
	{ Don José Nieto.
Second Lieutenants.....	{ Don José Ybarra.
	{ Don José Turincio.
	{ Don Francisco Arizmendi.

*Infantry Militia.*

Alferes.....Don Pedro Cepeda.

*Veteran Cavalry.*

Brevet Lieutenant-Colonel of the Army.....	Reverent Don Juan Manuel Zambrano.
Captains.....	{ Don Juan José Elguezabal.
	{ Don Matías Ximenes.
	{ Don José María Céspedes.
Brevet Captains.....	{ Don Antonio María Zárate.
	{ Don Juan María Martínez.
	{ Don Diego Cenovio de la Chica.
	{ Don Nicolás del Moral.
	{ Don Pedro Lemus.
Lieutenants.....	{ Don Ramón Espinosa.
	{ Don Francisco de la Hoz.
	{ Don Tomás Oquillas.
	{ Don Vicente Arreola.
	{ Don Manuel Nogaro.
	{ Don Domingo Gareña.
Alfereses.....	{ Don Manuel Barragán.
	{ Don Severo Ruiz.
	{ Don Domingo Ugartechea.
Brevet Alfereses.....	{ Don Francisco Vásquez.
	{ Don José Torres.
Sergeant.....	Tiburicio Garza.

*Cavalry Militia.*

Colonel.....	Don Cayetano Quintero.
	{ Don Manuel Sosaya.
	{ Don Miguel Paredes.
Captains.....	{ Don Ignacio Pérez.
	{ Don Luciano García.
	{ Don Nicolás Benites.
	{ Don José Antonio Flores.

<i>Rank.</i>	<i>Names.</i>
Lieutenants.....	{ Don Rafael Doria. Don Manuel de la Garza. Don Jesús García. Don Francisco de la Garza. Don Juan José Sánchez. Don Matías Guillén.
Alfereses.....	{ Don Valentín Rubio. Don José María Zamora.
Sergeant.....	Mateo Sotello.
Alferes of the Artillery.....	Don Francisco Castro.
Chaplains.....	{ Bachelor Don Miguel del Campo. Bachelor Don Francisco Treviño. Bachelor Don Andrés Molano. Bachelor Don Florentino Ramos. Bachelor Don José Antonio Valdés.

Note.—The officers of the troops from Nueva Vizcaya who were among the auxiliaries in the action are not included because of ignorance of the ranks they now hold; but they will be sent separately as soon as reports are received from the commandant of the Western Internal Provinces.

Monterey, April 6, 1817.

(On account of the illness of the secretary.)

Vincente Arreola  
(Rubric.)

[Reply by Viceroy.]

By your letter No. 574 of the 6th of the present month, I received the copy of the detailed report which you sent my predecessor concerning the action which the troops under your charge fought against the rebels on the Medina; and I will merely make known to His Majesty, the King, the claims to reward established by you and your officers as you state them, since it was not during my administration, and it was proper for my predecessor to pass on the subject. Thus I advise you in reply.

April 28, 1817.

(Rubric.)

Commandant of the Eastern Internal Provinces,  
Brigadier Joaquin de Arredondo.

## NOTES AND FRAGMENTS.

CATALOGING THE UNIVERSITY COLLECTIONS.—A short time since, the Regents appropriated money for cataloging the archives of the University in a more systematic and thorough manner than has been possible heretofore. Mrs. Mattie Austin Hatcher, M. A., 1903, and Fellow in History, 1902-1904, has been appointed cataloger. During her incumbency as Fellow, Mrs. Hatcher was engaged mainly in classifying the Béxar Archives; but since her appointment as cataloger, her work has been confined entirely to arranging the most valuable collection belonging to the archives, the documents known as the Austin Papers; and much has been done towards making them more available for historical reference.

This collection contains something like ten thousand separate documents of varied character—compositions expressing Austin's views on various subjects, letters, decrees of the Mexican government, agreements, promissory notes, newspapers, etc. This mass of documents has been separated into two divisions—letters and miscellaneous matter; and these two classes, after having been placed in durable covers, have been arranged according to date. The earliest document of the whole collection is a memorandum of balance due William Z. Hubbard & Co. by Charles Lynch, dated Lynehburg, February, 1790, signed by Byars<sup>1</sup> and attested by H. Ward. The earliest letter was written June 1, 1794, by Thos. Ruston of Philadelphia to Moses Austin for the purpose of introducing Jos. Burr who was to act as the writer's agent in taking up lands at Austinville, Va., and of discussing terms upon which Austin would dispose of said lands. Stephen Austin died in December, 1836, and the collection proper ends at this point although there are a great many papers of later date connected with the settlement of the estate, and also quite a number collected still later by Colonel Guy M. Bryan. Thus it will be seen the collection contains papers collected by Moses Austin during his residence in Virginia and Missouri, by Stephen Austin during his residence in Texas, by the latter's executor, James F. Perry, and by his nephew, Guy M. Bryan.

<sup>1</sup>No initials are given.

In the actual work of cataloging, all letters through 1829 have been finished. This includes about half of the letters and, by rough estimate, about one-fourth of the entire collection.

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PUBLICATIONS OF THE SOUTHERN HISTORICAL ASSOCIATION SUSPENDED.—A recent announcement which affords matters for sincere regret is that of the suspension of the Publications of the Southern Historical Association. The series has passed through eleven volumes, and the prospect of its discontinuance—since it constitutes the most fruitful and useful activity of the Southern Historical Association—is most unfortunate. It is understood that efforts are under way to effect an arrangement for the continuance of the Publications; and it is earnestly hoped that some such arrangement, of a kind that will be satisfactory to all concerned, can be made.

## BOOK REVIEWS AND NOTICES.

*The American Historical Review* for January is an unusually interesting number. The opening article is from the pen of Professor George B. Adams and is entitled *The Origin of the English Constitution*. Professor Adams seeks to answer the question, Why England came out of the Middle Ages a limited monarchy. By this phrase he means the notion of a body of law above the king which he may be compelled to obey. In his opinion the body of Magna Carta and clause 61 is the first inclination of the Constitution towards a limited monarchy. In the fourteenth century Parliament,—whose development had been going on apart from the experiment in methods of coercing the king—became the embodiment of this fundamental principle of the Constitution.

Louise R. Loomis writes upon *The Greek Renaissance in Italy*, and attempts to show that "the part played by Greek literature in fifteenth century Italy was less triumphant than it is ordinarily supposed to have been." Facts are mentioned to show that the enthusiasm, in so far as it was influential and genuine, was for Roman antiquity rather than for Hellenic. Even in philosophy the influence, from antiquity which helped to shape the thought of the fifteenth century were derived more directly from the Empire than from Hellas.

Professor A. B. Hart contributes an article on *John Knox as a Man of the World* in his usual direct style. He discusses John Knox from several standpoints, emphasizing his pride as a man, his vehemence as a writer, his violence as a preacher, his intemperate zeal as a reformer, and his practical failure as a constructive statesman,—all in all, a vivid glimpse of Scotland's great reformer.

In *The First Hayburn Case*, the writer, Professor Max Farrand, adduces evidence to show that on April 11, 1792, James Wilson, John Blair, and Richard Peter declared the Invalid Pension Act of 1792 unconstitutional, though there is no official record of the case. This is therefore the first instance of the Supreme Court asserting its right to declare an act of Congress invalid because contrary to the Federal Constitution.

*The American Acta Sanctorum* is the annual address of the

president of the American Historical Association, Professor J. Franklin Jameson, delivered at Madison, December 27, 1907. The writer makes a plea for the recognition of the claim of American religious history by those who would completely understand the American character and spirit.

The *Review* prints two documents: one, *Joseph Gales on the War Manifesto of 1812*; and the other, *Robert Barnwell Rhett on the Biography of Calhoun, 1854*, contributed by Gaillard Hunt.

Eighty pages of this number of the *Review* are devoted to review of books. It also contains a communication from George W. Graham: *The Mecklenburg Declaration: What Did the Governor See?* and Notes and News.

J. E. WINSTON.

*Texans Who Wore the Gray.* By Sid S. Johnson, Captain 3d Texas Cavalry, Ross Brigade, C. S. A., and Brigadier General, Texas Brigade, Forrest's Cavalry, U. C. V. 8vo., pp. 407.

This is a collection of short biographies of more than four hundred Texas soldiers, officers for the greater part, in the Civil War, interspersed here and there with anecdotes of the camp and field. While it leaves something to be desired in selection and proportion, the material is to the point and will prove of value to the student of that period of Texas history. The book would be more serviceable if the matter were arranged in some regular order, either by suitable grouping or alphabetically, but this defect is remedied somewhat by a good index.

C. W. R.

THE QUARTERLY welcomes the appearance of a new historical magazine, particularly as it is published in Mexico, where there has hitherto been no journal devoted exclusively to history. Reference is made to the *Revista Histórica Mexicana*, the first number of which was issued last October. It is to be a monthly publication, and is edited by Mr. C. D. López, for some time librarian in the Museo Nacional at the Mexican Capital. Dr. José M. Vigil, notable among the older Mexican scholars, is honorary editor. A good omen for the success of the publication is the fact that in the first two numbers there have appeared articles by several of the leading Mexican students of history and antiquities, the list including Carlos Pereyra, Professor of History in the Escuela

Preparatoria, at the Capital, and author of several publications relating to Mexican history; Dr. Edward Seler, a prominent authority on Mexican archæology; Luis González Obregón, author of "México Viejo," and numerous historical papers; and Dr. Antonio Peñafiel, Director of the Federal Census and one of the most prolific writers on Mexican antiquities. Professor Pereyra writes of "The Text-Book in History Classes"; Dr. Seler of "The Identity of Omacatl and Tezcatlipoca"; Señor González Obregón of "Castes in New Spain in the Eighteenth Century," and Dr. Peñafiel of "The Preccortesian Mixtec Code Javier Córdova and an Ancient Plan of San Andrés, Cholula."

In addition to original articles, the *Revista* publishes translations of noteworthy articles on Mexican history formerly printed in other languages. This department could be made highly valuable to Mexican readers, by acquainting them with foreign writers and methods.

The publication in Mexico of a well edited historical journal is highly desirable, as a means of stimulating the writing of critical monograph studies of Mexican history, for, with few exceptions, Mexican history has not yet passed through this necessary monograph stage. It is greatly to be hoped, therefore, that the *Revista* will succeed.

## AFFAIRS OF THE ASSOCIATION.

The twelfth annual meeting of the Association will be held on March 2, 1908, at the University of Texas, in room 44, at 3:30 p. m. President Houston will have something to say concerning the work of the Association. A paper will be read by Mr. C. W. Ramsdell on the Convention of 1866, and one by Mrs. Mattie Austin Hatcher on an educational scheme of Stephen F. Austin's. The latter will include some interesting documents which have been found in the Austin collection. The reading of the papers will be followed by the usual business session for the election of officers, etc. There will be no further announcement than is contained in this notice or will appear in the daily papers as the meeting approaches. All who are interested in the work of the Association, and especially the members, are cordially invited to attend.

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# Mrs. Mary Jones,

Widow of Anson Jones, Fourth President of the Republic  
of Texas.

First President Daughters of the Republic of Texas,  
1891—1907.

Member Texas Veteran Association.

Honorary Life Member Texas State Historical Asso-  
ciation, 1897—1907.

Born July 24, 1819.

Died December 31, 1907.

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# THE QUARTERLY

OF THE

TEXAS STATE HISTORICAL ASSOCIATION

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THE TEXAS STATE HISTORICAL ASSOCIATION AND  
ITS WORK.

D. F. HOUSTON.

The Texas State Historical Association has reached a respectable age, as things go in this country of rapid movement. We may say that it is an established organization and one that has justified itself. It enters upon its twelfth year today, with a membership of over two thousand of the most intelligent and influential men and women of Texas, and I think I state a simple fact and convey no unfavorable implication when I say that this number might easily have been doubled. This is a very significant and gratifying fact, and testified both to the intellectual and patriotic interest of our people in the matter of broad and profound concern to our country and also to the efficiency of the Association.

The stability and effectiveness of the Association are especially evidenced by its sound financial condition. It has not only met all its operating expenses, but has accumulated a working reserve of over \$2000; and it has done this apparently with little effort and without annoyance to subscribers or managers. This is an achievement almost without parallel in similar enterprises. The Association has supported a journal, which has afforded a medium for the publication of many valuable articles and documents furnished by members of the History staff in the University and by active investigators throughout the State and elsewhere. This

journal has taken a most creditable place among historical publications, and, together with the formal works of professors in the University, has given distinction to Texas as a center of historical research, and especially as one of the two sources of contributions to Southwestern history. Through these contributions many misconceptions have been dispelled, historical truth has been revealed, and much rewriting of history has been necessitated.

The Association has served to draw together many men and women in the State whose purpose is to collect and preserve the records of a great people in a great section, to see that they are interpreted without bias and with rigid fidelity to truth, and in a more general way, everywhere and at all hazards, to protect and promote the freedom of historical study and teaching. It has discovered and brought out, so to speak, and encouraged many competent investigators in different sections of the State, and has afforded much support and assistance to professors and students of history in colleges and universities.

But we are yet only at the beginning. We have scarcely yet scratched the surface of things. There is an amazingly vast and rich store of records to be secured and examined, scattered through these Southwestern States, in the archives of Mexico, and of Spain, and of other nations. And, furthermore, there is a more amazing amount of record to be made in the present and future and to be preserved. The South has seemed to be content to make history and to have certain contempt for recording her deeds, for accumulating her materials, and for interpreting them to the world. It is a reproach to every Southern State and community that a student of its history should be compelled to go to the great libraries of the North and East for access to historical data, and a still greater reproach that facilities have not been provided anywhere in the entire Southland, with its wealth of ten or twelve billions of dollars and its population of twenty-five millions, sufficiently to make it possible adequately to prosecute research in history and economics and to make it possible to train Southern men and women to write history and economics. There is today nowhere in any institution in the South, a graduate school, nowhere libraries or laboratories sufficiently well equipped to make extended research possible, and nowhere a teaching staff with suf-

ficient time to direct graduate investigation. In no institution in the South today are there more than two separate professorships of history, or more than one professorship of economics. There are very few institutions in the South which have one professor who gives his entire time to history, and there are not more than a half dozen who have separate professors of economics or political science. Not as many of either, in the entire South, devote their time exclusively to history and economics as can be found in one great institution in the North or East; and these are compelled to devote their time mainly to undergraduate teaching. And nowhere in the South are aids to students furnished in the way of endowed scholarships and fellowships. What chance have Southern boys and girls? What chance is there for an early full revelation of the truth about Southern life and deeds and motives? Would not provision for great libraries and a stronger teaching and research force be a more effective guarantee of historical truth than any amount of violent protest against historical misinterpretation and inaccuracy? Can Southern people, can Texas people, be brought to see this matter in the proper light and induced to provide the necessary support? I think they can, and I think this Association is the most satisfactory and efficient agency for bringing them to see it. Let us plan to have here in the near future a great library in which Southwestern history will be properly represented and also to have a strong graduate school for research and production. The University is doing what it can with limited means and is taking advantage of Dr. Bolton's presence in Mexico to collect important documents. The pity is that the amount is not ten times as great as it is. The money is needed, and needed now while expert service is available, and a great opportunity is here presented to some patriotic man of means.

Finally, there is one thing which this Association can do without means. I have mentioned it in passing. It is the most important thing which can be done at all, and if not done, it makes all else vain and worse than useless. It can protect and promote everywhere freedom of historical inquiry, historical writing, and history teaching. No nation, and no section of this or of any other nation has a monopoly either of prejudice or of intellectual liberty and openness of mind, or will ever have. But that fact can not

deter real students of history from battling for the truth and the whole truth, no matter where it leads or what prejudices it encounters or traditions it upsets. It was long ago asserted by sacred authority that the truth alone makes for freedom and no man can render a greater service anywhere in this nation than to fight for a full opportunity for every individual to express himself fully and freely on every matter as his honest intelligence prompts him to do.

## THE NATIVE TRIBES ABOUT THE EAST TEXAS MISSIONS.

HERBERT E. BOLTON.

### INTRODUCTORY.

The history of the Spanish *régime* in the Southwest is very largely the history of an Indian policy in its military, political, and religious phases, and to understand it aright it is manifestly necessary to know something of the people over whom the Spaniards extended their authority and upon whom they tried to impose their faith and their civilization.

The purpose of this paper is to furnish a partial introduction to the early history of the Spaniards in eastern Texas—the scene of their first systematic activities between the Mississippi and the upper Rio Grande—by presenting some of the main features of the organization of the compact group of tribes living in the upper Neehes and the Angelina River valleys, the first and the most important group with which they came into intimate contact. These tribes furnished the early field of labor especially for the Franciscans of the College of Santa Cruz de Querétaro, who worked for fifteen years in the region and founded in it five missions, while one was founded there and maintained for more than half a century by the College of Nuestra Señora de Guadalupe de Zaca-teas. It is hoped that this paper will throw new light on the all too obscure history of these interesting establishments, particularly with respect to their locations.<sup>1</sup>

### *The Names "Texas" and "Hasinai."*

The tribes in question commonly have been called the Texas, but more properly the Hasinai. Concerning the meaning and

<sup>1</sup>The authoritative presentation of the general history of the beginnings of these establishments is that contained in the excellent articles by Dr. R. C. Clark, published in this journal, Vol. V, 171-205, and Vol. VI, 1-26. In their bearings upon Indian organization and tribal names they are marred to some extent by the use of corrupt copies of the sources instead of the originals, as will be seen by comparing them with what follows. It is but fair to state that in the revision and extension of these articles, about to appear as a Bulletin of the University of Texas, Mr. Clark has corrected some of the errors.

For facts concerning the individual tribes mentioned in the course of this article, see the *Handbook of American Indians*, edited by F. W. Hodge (Bulletin of the Bureau of American Ethnology, No. 30, Part I, 1907; Part II in press).

usage of these terms I shall only present here somewhat dogmatically part of the results of a rather extended study which I have made of these points and which I hope soon to publish.<sup>1</sup>

The testimony of the sources warrants the conclusion that before the coming of the Spaniards the word *Texas*, variously spelled by the early writers, had wide currency among the tribes of eastern Texas and perhaps over a larger area; that its usual meaning was "friends," or more technically, "allies"; and that it was used by the tribes about the early missions, at least, to whom especially it later became attached as a group name, to designate a large number of tribes who were customarily allied against the Apaches. In this sense, the *Texas* included tribes who spoke different languages and who were as widely separated as the Red River and the Rio Grande. It seems that the *Neches-Angelina* tribes designated did not apply the term restrictively to themselves as a name, but that they did use it in a very untechnical way as a form of greeting, like "hello, friend," with which they even saluted Spaniards after their advent. I may say, in this connection, that the meanings "land of flowers," "tiled roofs," "paradise," etc., sometimes given for the name *Texas*, I have never seen even suggested by early observers, or by anyone on the basis of trustworthy evidence.

The name *Texas* has been variously applied by writers, but it was most commonly used by the Spaniards, from whom the French and the English borrowed it, to designate those tribes of the upper *Neches* and the *Angelina* valleys, and this in spite of their knowing full well that among the natives the word had the wider application that has been indicated. There are many variations from this usage in Spanish writings, it is true, but this, nevertheless, is the ordinary one. As a tribal name the term was sometimes still further narrowed to apply to a single tribe. When this occurred, it was most commonly used to designate the *Hainai*, the head tribe of the group in question, but sometimes it was applied to the *Nabedache* tribe. As a geographical term, the name *Texas* was first extended from these *Neches-Angelina* tribes to their immediate country. Thus for the first quarter of a century of Spanish occupation, the phrase "the Province of *Texas*" referred only to the country east of the Trinity River; but with the founding of the San Antonio settlements the term was extended westward, more in harmony

<sup>1</sup>The present paper embodies some of the results of an investigation of the history of the *Texas* tribes which the writer is making for the Bureau of American Ethnology.

with its native meaning, to the Medina River, and then gradually to all of the territory included within the present State of Texas.

While the name Texas, as used by the tribes in the eastern portion of the State, was thus evidently a broad and indefinite term applied to many and unrelated tribes occupying a wide area, it is clear that the native group name for most of the tribes about the missions in the Neches and Angelina valleys was Hasinai, or Asinai.<sup>1</sup> Today the term Hasinai is used by the Caddoans on the reservations to include not only the survivors of these Neches-Angelina tribes, but also the survivors of the tribes of the Sabine and Red River country. It seems from the sources, however, that in the early days the term was more properly limited to the former group. In strictest usage, indeed, the earliest writers did not include all of these. A study of contemporary evidence shows that at the first contact of Europeans with these tribes and for a long time thereafter writers quite generally made a distinction between the Hasinai (Asinai, Ceniz, etc.) and the Kadohadacho<sup>2</sup> (Caddodacho) group; these confederacies, for such they were in the Indian sense of the term, were separated by a wide stretch of uninhabited territory extending between the upper Angelina and the Red River in the neighborhood of Texarkana; their separateness of organization was positively affirmed, and the details of the inner constitution of both groups were more or less fully described; while in their relations with the Europeans they were for nearly a century dealt with as separate units. Nevertheless, because of the present native use of the term and some early testimony that can not be disregarded, I would not at present assert unreservedly that the term formerly was applied by the natives only to the Neches-Angelina group. If, as seems highly probable, this was the case, in order to preserve the native usage we should call these tribes the Hasinai; if not, then the Southern Hasinai.

The name Hasinai, like Texas, was sometimes narrowed in its application to one tribe, usually the Hainai. But occasionally the notion appears that there was an Hasinai tribe distinct from the

<sup>1</sup>The Spaniards ordinarily spelled this name Asinai or Asinay, and the French writers Ceniz. Mooney, the ethnologist, who knows intimately the survivors of these people living on the reservations, writes the name by which they now call themselves Hasinai, or Hasini, preferably the former. His spelling has been adopted as the standard one by the Bureau of American Ethnology. See the *Fourteenth Annual Report of the Bureau of American Ethnology*, 1092 (1896).

<sup>2</sup>I use here also the spelling adopted by the Bureau of American Ethnology.

Hainai. This, however, does not seem to have been the case. As now used by the surviving Hasinai and Caddos, Hasinai means "our own folk," or, in another sense, "Indians."<sup>1</sup>

*Ethnological Relations: Historical Importance.*

The Hasinai belonged to the Caddoan linguistic stock. This family, which was a large one, was divided into three principal geographic groups of tribes: the northern, represented by the Arikara in North Dakota; the middle, comprising the Pawnee confederacy, formerly living on the Platte River, Nebraska, and to the west and southwest thereof; and the southern, including most of the tribes of eastern Texas, together with many of those of western Louisiana and of southern Oklahoma.<sup>2</sup> Of this southern group the tribes about the Querétaran missions were one of the most important subdivisions. They, together with the related Caddo tribes to the north, represented the highest form of native society between the Red and the upper Rio Grande rivers, a stretch of nearly a thousand miles. This fact gave them from the outset a relatively large political importance. While it has been clearly shown by writers that the immediate motive to planting the first Spanish establishment within this area was French encroachment, little note has been made of the fame and the relative advancement of the Hasinai Indians as factors in determining the choice of the location. LaSalle's colony, which first brought the Spaniards to Texas to settle, was established on the Gulf coast; and had the natives of this region been as well organized and as influential among the tribes as the Hasinai, and, therefore, as likely to become the theater of another French intrusion, the logical procedure for the Spaniards would have been to establish themselves on the ground where the first intrusion had occurred, and within relatively easy reach from Mexico both by water and by land. But the Karankawan tribes of the coast proved hostile to the French and Spaniards alike, and, while their savage life and inhospitable country offered little to attract the missionary, their small influence over the other groups of natives rendered them relatively useless as a basis for extending Spanish political authority. These considerations entered prominently into

<sup>1</sup>See Mooney, *op. cit.*

<sup>2</sup>Powell, "Indian Linguistic Families," in the *Seventh Annual Report of the Bureau of American Ethnology*, with map; *Handbook of American Indians* (Bureau of American Ethnology, Bul. No. 30), 182.

the Spaniards' decision to establish their first Texas missions far in the interior, at a point difficult to reach from Mexico by land and wholly inaccessible by water. Events justified their estimate of the importance of the Hasinai as a base of political operations. But, while the control of these tribes and their Caddo neighbors remained for a century or more a cardinal point in the politics of the Texas-Louisiana frontier, it was soon learned that the less advanced and weaker tribes of the San Antonio region, nearer Mexico and farther removed from the contrary influence of the French, afforded a better field for missionary labors.

#### THE PRINCIPAL TRIBES.

Since Indian political organization was at best but loose and shifting and was strongly dominated by ideas of independence, and since writers were frequently indefinite in their use of terms, it would not be easy to determine with strict accuracy the constituent elements of this Neches-Angelina confederacy at different times. However, a few of the leading tribes—those of greatest historical interest—stand out with distinctness and can be followed for considerable periods of time.

De León learned in 1689 from the chief of the Nabadache tribe, the westernmost of the group, that his people had nine settlements.<sup>1</sup> Francisco de Jesus María Casañas, writing in 1691 near the Nabadache village after fifteen months' residence there, reported that the "province of Aseney" comprised nine tribes (*naciones*) living in the Neches-Angelina valleys within a district about thirty-five leagues long. It would seem altogether probable that these reports referred to the same nine tribes. Those named by Jesus María, giving his different spellings, were the Nabadacho or Yneci (Nabaydaeho), Necha (Neita), Nechawi, Nacono, Nacachau, Nazadachotzi, Cachaé (Cataye), Nabiti, and Nasayaya (Nasayaha).<sup>1</sup> The location of these tribes Jesus María points out with some definiteness, and six of them at least we are able to identify in later times without question. Moreover, his description of their governmental organization is so minute that one feels that he must have had pretty accurate information. The testimony of a number of other witnesses who wrote between 1687

<sup>1</sup>"Poblaciones." Letter of May 18, 1689, printed in Buckingham Smith's *Documentos para la Historia de la Florida*; evidently that cited by Velasco, in *Memorias de Nueva España*, XXVII, 179. Concerning the *Memorias*, see note 3, p. 256.

<sup>2</sup>Relación, August 15, 1691, MS., 107, 108, 112.

and 1692 in the main corroborates that of Jesus María, particularly in the important matter of not including the Nasoni tribe within the Hasinai.<sup>1</sup>

It so happens that after 1692 we get little intimate knowledge of the Hasinai until 1715. When light again dawns there appear in common usage one or two additions to Jesus María's list. Whether they represent an oversight on his part or subsequent accretions to the group we can not certainly say. Of those in his list six, the Nabadacho, Neche, Nacogdoche, Nacachau, Nacono, and Nabiti are mentioned under the same names by other writers. Cachae is evidently Jesus María's name for the well known Hainai, as will appear later, while the Nabiti seem to be San Denis's Nabiri and may be Joutel's Noadiche (Nahordike). For the Nechaui we can well afford to accept Jesus María's explicit statement. Besides these nine, the Spaniards after 1716 always treated as within the Hasinai group the Nasoni, Nadaco, and the Nacao. Judging from the localities occupied and some other circumstances, it is not altogether improbable that two of these may be old tribes under new names, as seems to be clearly the case with the Hainai. The Nasayaya, named by Jesus María, may answer to the Nasoni, well known after 1716,<sup>2</sup> and the Nabiti may possibly be the Nadaco, also well known after that date. If both of these surmises be true, we must add to Jesus María's list at least the Nacao, making ten tribes in all; if not, there were at least eleven or twelve. Putting first the best known and the most important, they were: the Hainai, Nabadache, Nacogdoche, Nasoni, Nadaco, Neche, Nacono, Nechaui, Nacao, and, perhaps, the Nabiti and the Nasayaya. This is not intended as a definitive list of the Hasinai at any one time,

<sup>1</sup>See Joutel, in Margry, *Découvertes*, III, 341, 344, *et seq.* (French's version of Joutel's Journal, printed in the *Historical Collections of Louisiana*, is very corrupt, and must be used with the greatest care); Terán, Descripción, in *Mem. de Nueva España*, XXVII, 48, *et seq.*

<sup>2</sup>The Nasayaya are placed by Jesus María in a location corresponding very closely to that later occupied by the Nasoni. Yet, the facts that though Jesus María named the Nasoni he did not include them in the Hasinai group while he did include the Nasayaya, and that Terán explicitly excludes the Nasoni from the Hasinai, make it seem probable that the Nasoni and the Nasayaya were distinct. The strongest ground for rejecting this conclusion is the fact that the latter tribe never appears again under a recognizable name, unless they are the Nacaxe, who later appear on the Sabine. The Nabiti might possibly be the Nadaco, but this does not seem likely, for the locations do not correspond very closely, while as late as 1715 San Denis gave the Nabiri and Nadaco as two separate tribes.

but it does include those known to have been within the compact area about the Querétaran missions and commonly treated as within the Hasinai group. By following the footnotes below it will be seen that "Nacoches," "Noaches," and "Asinay," which have been given, with resulting confusion, as names of tribes where early missions were established, are simply corruptions of "Neche," "Nasoni," and "Ainai," as the forms appear in the original manuscripts, whose whereabouts are now known.

The Ais, or Eyeish, a neighbor tribe living beyond the Arroyo Attoyac, at whose village a Zacatecan mission was founded in 1717, seem to have fallen outside the Hasinai confederacy. Only recently have they been included by ethnologists in the Caddoan stock, and, although they are now regarded as Caddoan, there are indications that their dialect was quite different from that of their western neighbors, while their manners and customs were always regarded as inferior to those of these other tribes.<sup>1</sup> Moreover, there is some evidence that they were generally regarded as aliens, and that they were sometimes even positively hostile to the Hasinai. Thus Jesus María includes them in his list of the enemies of the Hasinai; Espinosa, a quarter of a century after Jesus María wrote, speaks of them as friendly toward the "Assinay," from which by implication he excludes them, but says that the Hasinai medicine men "make all the tribes believe that disease originates in the bewitchment which the neighboring Indians, the Bidais, Ays, and Yacdocas, cause them," a belief that clearly implies hostility between the tribes concerned,<sup>2</sup> while Mezières wrote in 1779 that the Ais were hated alike by their Spanish and their Indian neighbors.<sup>3</sup>

The Adaes, or Adai, in whose midst the mission of Nuestra Señora de los Dolores was founded in 1717, lived beyond the Sabine, and belonged to the Red River group of Caddoans, or the Caddo. They, therefore, do not fall within the scope of this paper.

#### THEIR LOCATION.

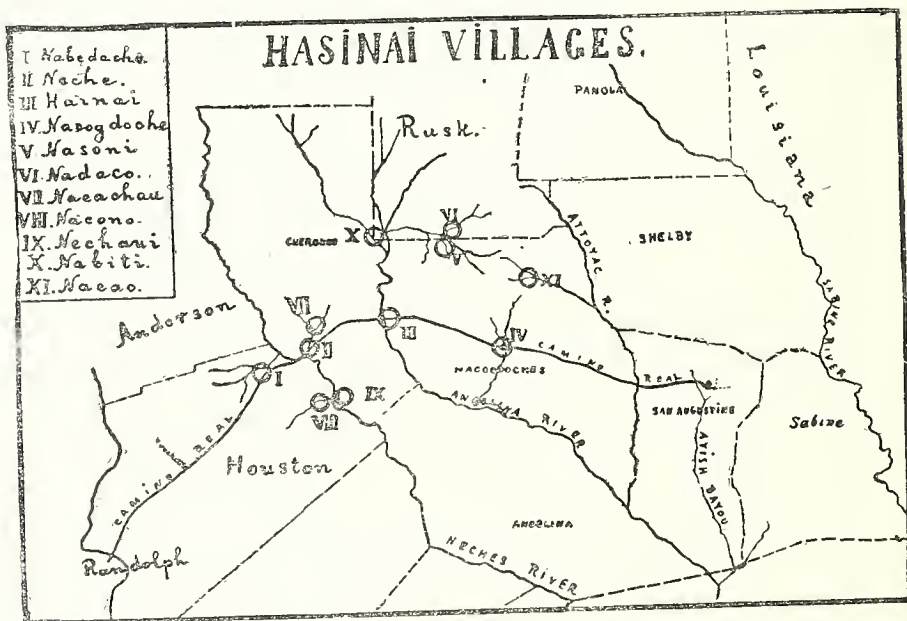
For determining the location of these tribes our chief materials are the *Journal of Joutel* (1687), the *Relación* of Francisco de

<sup>1</sup>On the subjects of their languages see the *Handbook of the American Indians*, under "Eyeish."

<sup>2</sup>*Crónica Apostólica*, 428.

<sup>3</sup>Expedición, in *Mem. de Nueva España*, XXVIII, 240.

Jesus María Casañas (1691), De León's diary of the expedition of 1690, Terán's for that of 1691-2, those of Ramón and Espinosa for the expedition of 1716, Peña's for that of Aguayo (1721), Rivera's for his *visita* of 1727, Solís's for that made by him in 1767-8, and Mezières's accounts of his tours among the Indians in 1772, 1778, and 1779. Two only of these are in print, while two of them have not before been used.<sup>3</sup> Besides these and numerous supplementing documentary sources, there are (1) the



early surveys showing the Camino Real, or Old San Antonio Road, whose windings in eastern Texas were determined mainly by the

<sup>3</sup>Of the diaries of De León and Espinosa I cite only the manuscripts in the Archivo General y Público, Mexico. These, I believe, are not otherwise available, and have not before been used except by Mr. R. C. Clark, who has recently had access to my transcripts. Of Jesus María's *Relación* I follow an autograph manuscript, which, however, appears to be a copy instead of the original. Of the diaries of Terán and Ramón I have had access to the originals, and of the Mezières manuscripts either to the originals or to certified official copies. My copy of the Rivera diary is from the edition printed in 1736. For the Peña and Solís diaries I have had to depend upon the copies in the *Memorias*. On comparing *Memorias* transcripts, in general, with the originals I have found that they are very corrupt and that numerous mistakes have resulted from their use. But in cases where there are no essential differences, I cite the *Memorias* copies, because they are more generally accessible; otherwise I cite the originals.

location of the principal Indian villages where the Spaniards had settlements, (2) certain unmistakable topographical features, such as the principal rivers and the Neche Indian mounds, and (3) geographical names that have come down to us from the period of Spanish occupation.

It will be interesting, before studying the location of each one of the tribes separately, to read the general description of the group given by Jesus María in 1691. Speaking of the Great Xinesi, he said, "To him are subject all of these nine tribes: The Nabadacho, which, for another name, is called Yneci. Within this tribe are founded the mission of Nuestro Padre San Francisco and the one which I have founded in Your Excellency's name, that of El Santísimo Nombre de María. The second tribe is that of the Necha. It is separated from the former by the Rio del Arcangel San Miguel [the Neches]. Both are between north and east.<sup>1</sup> At one side of these two, looking south, between south and east, is the tribe of the Nechaui, and half a league from the last, another, called the Nacono. Toward the north, where the above-mentioned Necha tribe ends, is the tribe called Nacachau. Between this tribe and another called Nazadachotzi, which is toward the east, in the direction of the house of the Great Xinesi, which is about . . . half way between these two tribes,<sup>2</sup> comes another, which begins at the house of the Great Xinesi, between north and east, and which is called Cachaé. At the end of this tribe, looking toward the north, is another tribe called Nabiti, and east of this a tribe called the Nasayaha. These nine tribes embrace an extent of about thirty-five leagues and are all subject to this Great Xinesi."<sup>3</sup> This description will be convenient for reference as we proceed.

It may be noted here that the average league of the old Spanish diaries of expeditions into Texas was about two miles. This should be kept in mind when reading the data hereafter presented.

<sup>1</sup>Meaning north and east of the point where he was writing, near San Pedro Creek, Houston County, as will appear below.

<sup>2</sup>My text (see note 3, p. 256) may be correct here. It reads "q esta, Como almediodia y enel Medio de las dos Naciones." It is possible that the copyist first wrote *almediodia* by mistake for *enel Medio de* and then wrote the latter correctly, but neglected to erase the words written by mistake. Other data seem to bear out this supposition.

<sup>3</sup>Relación, 107-108.

*The Nacogdoche Tribe and the Mission of Guadalupe.*

A starting point or base from which to determine the location of most of the tribes is the founding of the mission of Nuestra Señora de Guadalupe at the main village of the Nacogdoches in 1716, for it can be shown that this mission remained on the same site until it was abandoned in 1773; that the modern city of Nacogdoches was built at the old mission site; and, therefore, that the location of this city represents the location of the principal Nacogdoche village. The evidence briefly stated is as follows: Ramón, whose expedition founded this mission, wrote in his *Derrotero* that nine leagues east-southeast of the principal Hasinai village (the Hainai), on the Angelina River, he arrived at the "village of the Nacogdoches," and that on the next day he "set out from this mission," implying clearly that the mission was located where he was writing, at the Nacogdoche village.<sup>1</sup> As is well known, all of the missions of this section were abandoned in 1719 because of fear of a French invasion. Peña reports in his diary of the Aguayo expedition of 1721 that Aguayo, who rebuilt the abandoned missions, entered "the place where stood the mission of N. S. de Guadalupe de Nacodoches," and rebuilt the church. The inference is that the site was the old one, more especially since in one instance in the same connection where a mission site was changed Peña mentions the fact.<sup>2</sup> This mission was continued without any known change till 1773, when it was abandoned. But when in 1779 (not 1778, as is commonly stated) Antonio Gil Ybarbo laid the foundations of modern Nacogdoches with his band of refugees from the Trinity River settlement of Bucareli, he found the Nacogdoches mission buildings still standing, settled his colony near them, and apparently reoccupied some of them.<sup>3</sup> Hence it is clear that the city of Nacogdoches represents very closely, perhaps exactly, the site of the main village of the Nacogdoche tribe at the opening of the eighteenth century. If more

<sup>1</sup>Derrotero, original in the Archivo General y Público, Mexico. The copy in *Mem. de Nueva España*, Vol. XXVII, is very corrupt. At this point a generous addition is made by the copist. See folio 158.

<sup>2</sup>Peña, *Diario*, *op. cit.*, XXVIII, 40, 43, 44.

<sup>3</sup>Antonio Gil Ybarbo to Croix, May 13, 1779, MS. See Bolton in *THE QUARTERLY*, IX, No. 2, for the story of the beginning of modern Nacogdoches.

evidence were necessary, the presence within the city of Nacogdoches till recent times of four ancient Indian mounds would strengthen the conclusion.<sup>1</sup> With this as a starting point, it is not difficult to indicate the approximate location of the most prominent of the remaining tribes. Starting with the Nacogdoche involves the disadvantage of reading the diaries backwards, it is true, but has the great advantage of enabling us to proceed from a well-established point.

*The Hainai Tribe and the Mission of Concepción.*

On the east bank of the Angelina River, a little north of a direct west line from the Nacogdoche village, was that of the Hainai.<sup>2</sup> This tribe, whose lands lay on both sides of the Angelina,<sup>3</sup> was the head of the Hasinai confederacy, and for that reason was sometimes called Hasinai. It is to this tribe, also, that the name Texas was usually applied when it was restricted to a single one. Within its territory was the chief temple of the group, presided over by the great Xinesi, or high priest.<sup>4</sup> At its main village the mission of La Purísima Concepción was founded in 1716.

After the *Relación* of Jesus María, our first sources of specific information on the location of this village are the diaries. Ramón tells us that he entered the "Pueblo de los Ainai" just east of the Angelina River, and that nine leagues east-south-east of this village he reached the "Pueblo de los Nacogdoches."<sup>5</sup> The

<sup>1</sup>Information furnished in 1907 by Dr. J. E. Mayfield, of Nacogdoches. He writes: "Four similar mounds once existed at Nacogdoches, located upon a beautiful site about three hundred yards northeast of the old stone fort or stone house that has recently been removed from the main city plaza. . . . These have been razed and almost obliterated. To the east of them is a hole or excavation from which the earth may have been taken for the construction of these mounds."

<sup>2</sup>I follow the spelling of Mooney, which has been adopted by the Bureau of American Ethnology. The more common Spanish forms were Aynay and Ainai. English writers frequently spell it Ioni.

<sup>3</sup>Espinosa, *Crónica Apostólica*, 425; Diario, 1716; MS. entry for July 12; Mezières, *Carta, Mem. de Nueva España*, XXVIII, 241.

<sup>4</sup>Jesus María, *Relación*; Espinosa, *Crónica Apostólica*, 423.

<sup>5</sup>Derrotero, entries for July 7 and 8. Original in the Archivo General y Público, Mexico. The copy in *Memorias de Nueva España* (XXVII, 157-8) changes "Ainai" to "Asinay" and "Nacogdoches" to "Nacodoches." It is such errors as the former, evidently, that gave rise to the idea that

missionary fathers who accompanied Ramón, in their Representation made at the same time reported the distance as eight leagues east-south-east. Peña (1721) says the distance was eight leagues east-north-east from the *presidio* founded near the mission, and nine from the mission. Rivcra (1727) found the mission just east of the "Rio de los Aynays," or the Angelina, and nine leagues west of the Nacogdoches mission.<sup>1</sup> These witnesses tally in the main with each other and also, be it noted, with the testimony of the San Antonio Road, as its route is now identified in the old surveys. According to the best information obtainable it ran from Nacogdoches a little north of west to the Angelina, passing it about at Linwood Crossing.<sup>2</sup> Espinosa tells us that he founded the mission of Concepción a mile or two east of the place where the highway crossed the Angelina, near two springs, in the middle of the Hainai village. This site could not have been far from Linwood Crossing.<sup>3</sup>

This Hainai tribe, as has been stated, was evidently the one which Jesus María called the Cachaé or Cataye. He said that between the Nacachau and the Nacogdoche, about midway, was the lodge of the Great Xinesi, and—if we get his meaning here—that immediately northeast of this lodge was the Cachaé tribe. From other data we learn that the Xinesi's house was within or on the borders of the Hainai territory, about three leagues from the Concepción mission, and apparently west of the Angelina.<sup>4</sup> The Cachaé thus correspond, in location and relations, to the Hainai, while, moreover, the latter are the only tribe that appear in this locality after 1716. Considering with these facts the probability that Jesus María would hardly have left the head tribe unmentioned in so formal a description as is his, and the fact that

there was an Asinay tribe. Similarly, the *Memorias* copy of the Representación of the "Padres Misioneros" dated July 22, 1716 (Vol. XXVII, 163) states that the mission of Concepción was founded for the "Asinays," whereas the original of that document, as of Espinosa's diary, reads "Ainai." This error has been copied and popularized.

<sup>1</sup>Ramón, Derrotero, in *Memorias de Nueva España*, XXVII, 158; the "Padres Misioneros," Representación, *Ibid.*, 163; Peña, Diario, *Ibid.*, XXVIII, 43-44; Rivera, Diario, leg. 2142.

<sup>2</sup>Maps of Cherokee and Nacogdoches counties (1879), by I. C. Walsh, Commissioner of the General Land Office of Texas, compiled from official data.

<sup>3</sup>Espinosa, Diario, entries for July 6 and 7; Ramón, Derrotero, *op. cit.*

<sup>4</sup>Espinosa, *Crónica Apostólica*, 424; Morfi, *Mem. Hist. Texas*, Bk. II, MS.

the Hainai is clearly the head tribe, it seems reasonably certain that the Cachaé and the Hainai were identical.

*The Neche Tribe and the Mission of San Francisco (Second Site).*

Southwest of the Hainai village, nearly straight west of the Nacogdoche, was the Neche village, near the east bank of the Neches River, and near the crossing of the Camino Real. The diaries usually represent the distance from the Neche to the Hainai as about the same as that from the Hainai to the Nacogdoche—some eight or nine leagues.<sup>1</sup> The air line distance was evidently somewhat less in the former case than in the latter, but the route was less direct, since between the Neches and the Angelina rivers the road bowed quite decidedly to the north. The usual crossing of this highway at the Neches, as now identified, was at Williams's Ferry, below the mouth of San Pedro Creek.<sup>2</sup> Archaeological remains help us to identify this crossing and give certainty to the approximate correctness of our conclusions. These remains are the Indian mounds east of the Neches River. The first mention of them that I have seen is that by Mezières, in 1779. His record is important. Passing along the Camino Real on his way to the Nabadache, he noted the large mound near the Neches River, raised, he said, by the ancestors of the natives of the locality "in order to build on its top a temple, which overlooked the pueblo near by, and in which they worshiped their gods—a monument rather to their great numbers than to the industry of their individuals."<sup>3</sup> This mound and its two less conspicuous companions still stand in Cherokee County about a mile and a half from

<sup>1</sup>Espinosa tells us that the mission was near a spring and also near an arroyo that flowed from the northeast. He gave the distance from the mission from the camp near the Neches River as one league, and that to the mission of Concepción, east of the Angelina, eight leagues, going northeast by east, then east (Diario, entries for July 2 and 6). Ramón gave the distance to the mission of Concepción, from the camp near the Neches apparently, but possibly from the mission, as nine leagues east-northeast (Derrotero, in *Mem. de Nueva España*, XXVII, 157-158).

<sup>2</sup>See maps cited above, and also the Map of Houston County, copied from a map by Geo. Aldrich, by H. S. Upshur, Draughtsman in the General Land Office, 1841.

<sup>3</sup>Letter to Croix, August 16, 1779, MS., in the Archivo General y Público, Mexico. This letter was written at the "Village of Sn. Pedro de los Navedachos," just after Mezières passed the mounds. The *Memorias* copy of the letter gives the name of the place, erroneously, San Pedro Nevadachos" (Vol. XXVIII, 241).

the river and five miles southwest of Alto, in a plain known to some as Mound Prairie, undoubtedly the true Mound Prairie whose whereabouts has been debated. They are on land now the property of the Morrill Orchard Company, once a part of the original grant made to the romantic Pedro Ellis Bean. The Old San Antonio Road, as identified in the oldest surveys, ran about three hundred yards north of the largest, which is also the northernmost mound.<sup>1</sup> This mound, standing by the old highway, is an important western landmark for the location of the early tribes and missions, just as the site of Nacogdoches is an important eastern landmark. With the evidence of these mounds, the name San Pedro attached to the creek joining the Neches just above the crossing, and the early maps of the Camino Real, there is no doubt as to the approximate location of the old crossing, and, consequently, of the sites of the Neche and the Nabadache villages, with their respective missions, on opposite sides of the river.

The mission of San Francisco de los Texas, reestablished in 1716 at the Neche village,<sup>2</sup> appears from the diaries to have been some one or two leagues—from two to four miles—from the crossing. Peña's diary puts it at two leagues. The entry in his diary for August 3, 1721, is as follows: "The bridge [over the Neches] having been completed, all the people, the equipage, and the drove, crossed in good order, taking the direction of east-northeast, and camp was made near the mission of San Francisco, where the *presidio* was placed the second time it was moved in 1716. The march was only two leagues."<sup>3</sup> Rivera gives the distance from the crossing as more than a league.<sup>4</sup> The other diaries are indefinite on this point, but the conclusion is plain that the mission and the

<sup>1</sup>Information furnished by Dr. J. E. Mayfield, of Nacogdoches. The original Austin map (1829) in the Secretaría de Fomento, Mexico, shows the mound on the north side of the road.

<sup>2</sup>On the authority of the corrupt copy of Ramón's itinerary in the *Memorias* (XXVII, 157) it has been stated that this mission was founded at the "Nacoches" village, a tribal name nowhere else encountered. The original of the itinerary, however, gives the name "Naiches," thus agreeing with the other original reports and clearing up a troublesome uncertainty. The official name of the mission was San Francisco de los Texas, but, because of its location at the Neche village, it came to be called, popularly, San Francisco de los Neches.

<sup>3</sup>Diary, in *Mem. de Nueva España*, XXVIII, 38. The *presidio* had been temporarily placed in 1716 on the west side of the Neches, near a small lake, and then moved across the river.

<sup>4</sup>Rivera, *Diario*, 1727, leg. 2140.

Neches village were close to the mounds, the mission, at least, being apparently farther from the river.

*The Nabadache Tribe and the Mission of San Francisco (First Site).*

The westernmost tribe of the group was the Nabadache. The main village was a short distance—perhaps six miles—west of the Neches River, above the crossing, near a stream that early became known as San Pedro, and at a site that took the name San Pedro de los Nabadachos. It is this name San Pedro, in part, that has caused some persons to think, groundlessly, that the first mission of San Francisco was founded at San Antonio.

The exact point at which the main Nabadache village stood I can not say, not having examined the locality in person, but certain data enable us to approximate its location pretty closely.

First is the testimony of the diaries and other early documents. De León reported in his itinerary (1690) that from the camp half a league from the Nabadache chief's house to the Neches River, going northeast, it was three leagues.<sup>1</sup> The site examined on the river at this point was deemed unsuitable for the mission "because it was so far out of the way of the Indians"; consequently the mission was established close to the camp "in the middle" of the village.<sup>2</sup> In their reports to the home government Massanet and De León seem to have stated that the mission was some two leagues from the Neches;<sup>3</sup> while Terán in 1691 reported it to be only a league and a half from the Mission of Santísimo Nombre de María, which was evidently close to the Neches.<sup>4</sup> Jesus María and Espinosa said that the village was about three leagues from

<sup>1</sup>Entry for May 26. He recorded the distance going and coming as six leagues.

<sup>2</sup>De León, Derrotero, entry for May 27; Massanet, Letter, in *THE QUARTERLY*, II, 305.

<sup>3</sup>This is an inference from the instructions given in 1691 to Terán and Salinas, which required them to examine the large stream two leagues, more or less, from the village where the mission of San Francisco had been established the year before. (Ynstrucciones dadas, etc., January 23, 1691, in *Mem. de Nueva España*, XXVII, 19; Ynstrucción que han de observar el Capp. D. Gregorio Salinas, etc., April 13, 1691. Archivo General, Provincias Internas, Vol. 182. This document has not before been used.)

<sup>4</sup>See note 2, page 266.

this river, the former adding that it was right across the stream from the Neche tribe.<sup>1</sup> Joutel and Ramón called the distance from center to center of the two villages about five leagues.<sup>2</sup> In comparing these estimates with those that follow we must remember that it was somewhat further from the village to the crossing of the river than to the river at its nearest point, for as early as 1691 it was found that the best crossing was down stream a league or more.<sup>3</sup> Keeping these things in mind, it may be noted that Peña's diary makes the distance from San Pedro to the crossing four leagues. In his entry for July 27, 1721, he says, "The Father President F. Ysidro Felix de Espinosa went ahead with the chief of the texas, who wished to go to arrange beforehand the reception *in the place where the first mission had been.*" In his entry for the next day he says, "Following the same direction of east-northeast, the journey was continued to the place of S. Pedro . . . *where the Presidio and Mission had been placed (for the Spaniards did not go beyond this point) in the year '90.*" Here the reception was held, and presents were made to Aguayo by the Indians of the "ranchos which are near by," the point being, according to Peña's diary, fifteen leagues northeast from the crossing of the Trinity,<sup>4</sup> and four from the crossing of the Neches, passing by the site of the *presidio* as it was first established in 1716. Rivera's diary makes the distance from San Pedro to the crossing something over four leagues, or six to the mission on the other side. His record is interesting. He writes, on August 5, "I camped this day near a prairie which they call San Pedro de los Nabadachos, formerly occupied by Indians of the tribe of this name, but at present by the Neches tribe, of the group of the Aynays, head tribe of the Province of Texas." His next entry begins, "This day, the sixth, . . . continuing the march in the same direction [east-one-fourth-northeast] I traveled six leagues, crossing the Rio de los

<sup>1</sup>Relación, 2, 6.

<sup>2</sup>Relation, in Margry, *Découvertes*, III, 341-344; Ramón, Derrotero, *op. cit.*

<sup>3</sup>Terán, Descripción y Diaria Demareación. *Mem. de Nueva España*, XXVII, 47, 61.

<sup>4</sup>Diario, in *Mem. de Nueva España*, XXVIII, 34-35. The Italics are mine. It may be noted that Peña and Rivera give quite commonly shorter leagues than the others.

Neches. At more than a league's distance from it I found some huts where a religious of the Cross of Querétaro resides, destined . . . to minister to these Indians . . . with the name of San Francisco de Nechas," that is, the mission having this name.<sup>1</sup> Solís, going northeast in 1767, tells us that San Pedro de los Nabadachos was beyond the San Pedro River. He may possibly have meant that it was on the north side, but I am inclined to think that he meant that it was east of one of the southern branches.<sup>2</sup>

Our inference from the diaries would thus be that the first site of the mission of San Francisco, in the village of the Nabadache, was from one and a half to three leagues—from three to six miles—distant from the Neches River at its nearest point, a league or more farther from the crossing, and still another league—in all some ten miles—from the Neches village on the other side of the river.

The information of the diaries is here supplemented by geographical names and the old surveys of the Camino Real or the San Antonio Road. San Pedro Creek, which joins the Neches River in the northern part of Houston County still bears the name that was early given to the vicinity of the Nabadache village and the first mission of San Francisco. This occurred as early as 1716 from the fact that Espinosa and Ramón celebrated the feast of San Pedro there. The celebration took place at a spot which, according to both Ramón and Espinosa was thirteen leagues northeast of the crossing of the Trinity.<sup>3</sup> That the name was continuously applied to the place until after the middle of the eighteenth century is sufficiently established by the citations already made. To show its continued use thereafter there is an abundance of evidence.<sup>4</sup>

<sup>1</sup>Rivera, *Diario*, leg. 2140. Ramón's Derrotero makes the distance four leagues from San Pedro to his camp near the Neches or to the mission site across the river, but it is not clear which, although the former is probably his meaning. (*Mem. de Nueva España*, XXVII, 155-157.) Ramón's Representación makes the distance between the first mission of San Francisco, and the second of this name, at the Neche village, five leagues. *Ibid.*, 159.

<sup>2</sup>*Diario*, in *Mem. de Nueva España*, XXVIII, 279.

<sup>3</sup>Ramón, Representación, in *Mem. de Nueva España*, XXVII, 159. Ramón and Espinosa, *Diaries*, entries for June 29-30.

<sup>4</sup>See Ramon, Derrotero, and Espinosa, *Diario* (1716), entries for June 29-30; Peña, *Diario* (1721), in *Mem. de Nueva España*, XXVIII, 34; Rivera, *Diario* (1727), leg. 2140; Ereción de San Xavier, 5 (1746); De Soto Vermudez, *Investigation* (1752); Solís, *Diario*, in *Mem. de Nueva*

Next comes the testimony of the Camino Real, or the Old San Antonio Road. There seems to be no good topographical reason why this old highway should not have run directly from Crockett to the Neches at Williams's Ferry, and the long curve to the north between these points must be explained as a detour to the Nabadache village and the missions located nearby. The surveys represent this highway as running always south of San Pedro Creek, never crossing it, but definitely directed toward it at a point some six or eight miles west of the Neches crossing.<sup>1</sup> The point corresponds closely to that designated in the diaries. Near here, quite certainly, were the Nabadache village and the first mission of San Francisco, while not far away, but nearer the Neches, was the second mission established in that region, that of El Santísimo Nombre de María, founded about October, 1690.<sup>2</sup>

*The Nacachau, Nechawi, and Nacono Tribes.*

Across the Neches from the Nabadache, only a few leagues away, and adjoining the Neche tribe on the north, was the relatively little known tribe called by Jesus María the Nacachau, and by Hidalgo the Nacachao. We have seen that Jesus María described the Neche tribe as being separated from the Nabadache only by the Neches River. Later he says, "Toward the north, where the above-mentioned Necha tribe ends, is that called the Nacachau." The Neche and Nacachau villages were thus close together. Near them the second mission of San Francisco was founded in 1716. Ramón says that the mission was founded in the village of the Naiches,

*España*, XXVII, 279; Mezières, Cartas (1778-1779), in *Mem. de Nueva España*, XXVIII, 270; Cordoba to Muñoz, December 8, 1793. Béxar Archives, Nacogdoches, 1758-1793. It may be noted that while the post-office village of San Pedro preserves the name of the general locality, it is too far west to answer to the site of the mission of San Francisco and the Nabadache village.

<sup>1</sup>See Upshur's map, cited above.

<sup>2</sup>This mission was close to or on the bank of the Neches River. According to Terán's itinerary (1691) it was a league up stream from the crossing and a league and a half northeast of the mission of San Francisco (Descripción, in *Mem. de Nueva España*, 45, 47, 61; Jesus María said that it was on the bank of the river (Relación, 104).

and the "Padres Misioneros" say that it was for the "Naicha, Nabeitdâche, Nocono, and Nacâchao."<sup>1</sup>

Southeast of the Neche and the Nabadache villages, according to Jesus María, were two villages half a league apart, called the Nechaui and the Nacono. Of the Nechaui we do not hear again, but from Peña (1721) we learn that the Nacono village, which he called El Macono, was five leagues below the Neches crossing. This would put the Nechaui and the Nacono villages five leagues down the Neches River, perhaps one on each side.<sup>2</sup>

*The Nasoni Tribe and the Mission of San José.*

Above the Hainai, on the waters of the Angclina, were the Nasoni. Joutel, in 1687, reached their village after going from the Nabadache twelve leagues eastward, plus an unestimated distance north. Terán, in 1691, found it twelve leagues northeast of the Neche crossing below the Nabadache village.<sup>3</sup> The founding, in 1716, of a mission for this tribe and the Nadaco gives us more definite data for its location. The missionaries who took part in the expedition, in their joint report, called the distance from the Hainai to the Nacogdoche eight leagues east-southeast, and that from the Hainai to the Nasoni mission seven northeast. Peña, who called the former distance nine leagues east-northeast, esti-

<sup>1</sup>Jesus María, *Relación*, 1691, 107-108; Ramón, Derrotero (1716), in *Mem. de Nueva España*, XXVII, 158; Padres Misioneros, *Representación* (1716), *Ibid.*, 163; Peña, *Diario* (1721), *Ibid.*, XXVIII, 38-41; Rivera, *Diario* (1727), leg., 2140; Bonilla, *Breve Compendio*, 1772, in *THE QUARTERLY*, VIII, 35, 38. As I have indicated above, the *Memorias* copy of Ramón's itinerary states that the mission was founded in the village of the "Nacoches," a miscopy for "Naiches." The map on page 256 was made before I discovered this error in the copy, which I had first used. My opinion now is that, with this correction, the sources would not be violated by placing the Nacachau tribe somewhat farther north than I have there represented it.

<sup>2</sup>Jesus María, *Relación*, 108; Peña, *Diario*, *op. cit.*, 36.

As the Nacono visited Aguayo on the west side of the Neches, I have represented the village on that side in my map. Of course, the reason is a very slight one.

Espinosa in his diary says that the Nasoni mission was founded for the Naconô, but this seems to be a form of Nasoni, for by others it is uniformly called the mission of the Nasoni or of the Nadaco, or of both. See, Hidalgo, letter to Mesquia, October 6, 1716, in the *Archivo General*.

<sup>3</sup>Joutel, *Relation*, in Margry, *Découvertes* III, 337-340; Terán, *Descripción*, in *Mem. de Nueva España*, XXVII, 47-48.

mated this as eight north. Espinosa put it at seven northeast.<sup>1</sup> Thirty years later Espinosa said that the mission was founded in the Nasoni tribe and ten leagues from mission Concepción.<sup>2</sup> This increase in his estimate of the distance may be due to lapse of time and his long absence from the country.

The direction of the Nasoni mission from that of Concepción was, therefore, evidently northeast, and the distance about the same, perhaps a trifle less, than that to the Nacogdoche village.

Espinosa, who in 1716 went over the route from the Hainai to the Nasoni to establish the mission of San José recorded in his diary that on the way there were many Indian houses (*ranchos*), and that the mission was situated "on an arroyo with plentiful water running north." We must look, therefore, for a point some fifteen or more miles northeast of the Hainai on a stream running northward. These conditions would be satisfied only by one of the southern tributaries of Shawnee Creek, near the north line of Nacogdoches County. In this vicinity, clearly, was the Nasoni settlement in 1716. It seems not to have changed its location essentially since it had been visited by Joutel and Terán, a quarter of a century before, and it remained in the same vicinity another third of a century, for in 1752 De Soto Vermudez found the Nasoni village eleven leagues northward from the Nacogdoches mission.<sup>3</sup> The mission of San José remained near the Nasoni until 1729, when, like those of San Francisco, at the Neche village, and Concepción, at the Hainai village, it was removed to San Antonio.

#### *The Nadaco.*

For the rest of the tribes in this group our information is less definite. The Nadaco, though a prominent tribe, can not be located with certainty until 1787, when they, or at least a part of them, were on the Sabine River, apparently in the northern part of Panola County.<sup>4</sup> But in 1716 they were clearly near the Nasoni,

<sup>1</sup>Padres Misioneros, Representación, 1716, in *Mem. de Nueva España*, XXVII, 163; Peña, Diario, 1721, *Ibid.*, XXVIII, 44; Espinosa, Diario, 1716, entry for July 10.

<sup>2</sup>*Crónica Apostólica*, 418.

<sup>3</sup>Investigation, 1752, MS.

<sup>4</sup>Francisco Xavier Fragoso, Diary, in the General Land Office, Austin, Texas, Records, Vol. 68, p. 174.

and sometimes the two tribes seem to have been considered as one. Hidalgo, who must have known, for he was on the ground, distinctly states that the mission of San José was founded for the Nasoni and the Nadaco.<sup>1</sup> Although the mission was commonly known to the Spaniards as that of the Nasoni, the French writers, in particular, including San Denis, sometimes called it the Nadaco<sup>2</sup> mission. Frequent references made by La Harpe in 1719 to the Nadaco show that he is either speaking of the Nasoni or of a tribe in their immediate vicinity, more probably the latter, since in other instances the tribes are so clearly distinguished. For instance, he tells us that when at the Kadohadacho village on the Red River, not far from Texarkana, "they assured me that sixty leagues south was the village of the Nadacos, where the Spaniards had a mission, and that they had another among the Assinai, in the Amediche [Nabedache] tribe, which was seventy leagues south-one-fourth-southwest from the Nassonites [which were near the Kadohadacho]."<sup>3</sup> In 1752 the Nadaco were only a short distance

<sup>1</sup>Letter to Mesquia, October 6, 1716, in the Archivo General de Mexico, MS. The *Memorias* copy of Ramón's itinerary (XXVII, 158) calls this mission that of the "Noachis," but the original reads plainly "Nasonis."

<sup>2</sup>Thus, La Harpe noted in his journal that San Denis, who conducted the expedition of 1716 that founded the missions "proposed, sometime after his arrival, that he should be the conductor of nine missionaries to the tribes of the Adayes, Ayches, Nacocodochy, Inay and Nadaco" (*Extrait du Journal manuscrit du voyage de la Louisiane par le sieur de La Harpe et de ses découvertes dans la partie de l'Ouest de cette colonie*; in Margry, *Découvertes*, VI, 194). San Denis himself regarded the mission as having been founded in the Nadaco tribe. This is the inference from a correspondence carried on in 1735-1736 between him and Sandoval, governor of Texas. Sandoval wrote to San Denis on March 10, 1736, acknowledging a letter of December 2, 1735, in which San Denis outlined the basis of French claims to country west of the Red River. Judging from Sandoval's summary of the letter (I have not seen the letter) he alleged that, with Bienville, he had explored the country as far back as 1702; that in 1715 he had journeyed from the "Asinais" to Mexico, seeing on the way only vestiges of the old Spanish settlements; that he conducted Ramón into the country, "the result of which was the foundation [of missions], which it was requested of your lordship should be established among the Nacogdoches, Nadaco, Ainais, and Naicha, and the subsequent ones among the Ays and Adais, maintaining the ministers of the Gospel at your expense." (Triplicate of Sandoval's letter, in the Archivo General, Sección de Historia, Vol. 524, formerly in Indiferente de Guerra. With this letter there are several original letters of San Denis.

<sup>3</sup>La Harpe, *Relation du Voyage*, in Margry, *op. cit.*, VI 262. See also *Ibid.*, 266.

northward from the Nasoni, apparently northeast, and the two tribes then had a single chief.<sup>1</sup>

Supposing the Nadaco and the Nasoni to have lived in clearly distinct settlements at the early period, the Nadaco could hardly have been near the highway from the Nasoni to the Kadohadacho, for, as we have seen, the Nasoni always figure as the last station on the way to the Kadohadacho. It seems more probable, considering this last fact with the statements made about the mission of San José, that the two tribes lived in a settlement practically continuous, to which sometimes one and sometimes the other name was given. An upper branch of the Angelina is now called Anadarko (Nadaco) Creek, and it is possible, in spite of the above considerations, that this stream was the home of the Nadaco at the coming of the Spaniards and the French, but it seems more probable that it was applied in later times as a result of the removal of the tribe to that neighborhood.

It is clear, at any rate, that in the early eighteenth century the Nadaco village was very near that of the Nasoni.

#### *Other Tribes.*

Of the location of remaining tribes we know even less than of the last, and can only record the few statements made of them by the early writers. Three leagues west of the Nasoni Joutel entered the village of the Noadiche (Nahordike)<sup>2</sup> who, he said, were allies of the Cenís, and had the same customs. This location corresponds with that assigned by Jesus María to the Nabiti, and the tribes may have been identical. The site designated was apparently west of the Angelina River and near the southwestern corner of Rusk County. Similarly, the Nasayaya, put by Jesus Maria east of the Nabiti, may possibly have been the Nasoni. If they were a separate tribe they must have been in the same neighborhood. If separate, too, they early disappear from notice, unless possibly they may be the Nacaxe, who later are found in the same latitude, but farther east. All that we can say of the location of the Nacao is that they were northward from the Nacogdoche, and probably closer

<sup>1</sup>This is on the well-founded assumption that the Nadote discussed by De Soto Vermudez were the same as the Nadaco (De Soto Vermudez, *Investigation*, MS.).

<sup>2</sup>Relation, in Margry, *op. cit.*, III 388.

to the Nacogdoche than to the Nasoni, since they were attached to the Nacogdoche mission. A reasonable conjecture is that they were in the neighborhood of Nacaniche Creek, in Nacogdoches County.<sup>1</sup>

Thus, with varying degrees of precision and confidence, we are able from a study of the documents to indicate the early homes of the tribes usually included in the Hasinai group. Five of the sites, at least, are reasonably well established, and these are historically the most important, for they were the sites of Spanish establishments, while the others were not. I refer, of course, to the villages of the Nabedache, Neche, Hainai, Nacogdoche, and Nasoni. A careful examination of the topography of the country and of the archaeological remains would doubtless enable one to verify some and to modify others of the conclusions here set forth.

#### GENERAL CHARACTER OF THE SETTLEMENTS.

It will be helpful, as a means of conveying an idea of the true nature of the work attempted by the early Spaniards, to present a brief sketch of the general character of these Indian settlements and of their numerical strength.

They were a people living in relatively fixed habitations, and would be classed as sedentary Indians, in contrast with roving tribes, such as the neighboring Tonkawa west of the Trinity. They subsisted to a considerable extent by agriculture, and lived, accordingly, in loosely built agricultural villages, for miles around which were detached houses, located wherever there was a spot favored by water supply and natural or easily made clearings. Their dwellings were large conical grass lodges, which accommodated several families. In all of the tribes concerning which we have relatively full data there seems to have been a main village, which the surrounding communal families regarded as their tribal headquarters. It is these central villages that I have represented on the map.

The arrangement of the settlements may be most safely learned from the accounts of some of the early eye-witnesses. Joutel tells

<sup>1</sup>Jesus María puts the Nacogdoche tribe east and the Nacau tribe north-east of his mission. He says in another passage that the Nacau constituted a province distinct from the Aseney and thirty leagues from the Nabedache.

us, in 1687, that from the edge of the Nabadache village, west of the Neches River, to the chief's house in the middle of the settlement, it was a "large league," and that on the way there were "hamlets" of from seven to fifteen houses each, surrounded by patches of corn. From this village to that of the Neche tribe on the other side of the river it was some five leagues, but in fertile spots between them there were similar "hamlets," sometimes a league apart. So it was with the country to the northeast. When he left the Neches River at a point above the Neche village he wrote, "We pursued our route toward the east, and made about five leagues, finding from time to time cabins in 'hamlets' and 'cantons,' for we sometimes made a league and a half without finding one."<sup>1</sup> Between the Trinity River and the main Nabadache village De León, in 1690, encountered only one settlement. It consisted of "four farms (*haciendas*) of Indians who had planted crops of maize and beans, and very substantially built houses, with high beds to sleep on."<sup>2</sup> On the edge of the Nabadache village he "arrived at a valley occupied by many houses of Texas Indians, around which were large fields of maize, beans, calabashes, and watermelons. . . . Turning to the north by a hill of oaks, about a quarter of a league further on we came to another valley of Texas Indians, with their houses, their governor telling us that his was very near. We pitched our camp on the bank of an arroyo, and named this settlement San Francisco de los Texas."<sup>3</sup> The "governor's" house was about half a league from the camp.

Of the country beyond the Neches Terán wrote in 1691, "We continue our march [from the Neches]. . . . The country is very rough with frequent open groves, but no openings larger than a short musket shot across. In these openings, some in the lowlands, and some in the sand, their houses are located."<sup>4</sup> Joutel, in describing his passage from the lodge of one Nasoni chief to that of another, says, "Those who had escorted us went ahead and conducted us to his house, about a quarter of a league away, where his cabin was located. Before reaching it we passed several others, and on the way found women and children cultivating their

<sup>1</sup>Relation, in Margry, *op. cit.*, 341, 344, 387.

<sup>2</sup>Derrotero, MS., entry for May 20.

<sup>3</sup>*Ibid.*, entry for May 22.

<sup>4</sup>Descripción y Diaria Demarcación, *op. cit.*, 48.

fields." In 1716 Ramón referred to the Hainai settlement on the Angelina River as the "pueblo of the Ainai, where there is an infinite number of houses (*ranchos*) with their fields of corn, watermelons, melons, beans, tobacco," etc. As we have already seen, in his passage from the Hainai to the Nasoni in 1716 Espinosa noted many houses on the way.<sup>1</sup>

After several years' residence among these tribes, Espinosa, having in mind the dismal failure to reduce them to civilized life, described the Hasinai settlements in general thus: "These natives do not live in congregations reduced to pueblos, but each of the four principal groups where the missions are located are in *ranchos* [separate houses], as it were, apart from each other. The chief cause of this is that each household seeks a place suitable for its crops and having a supply of water."<sup>2</sup> In another place he tells us that in their ministerial work among the Indians the *padres* had to travel six or seven leagues in all directions from each of the four missions.<sup>3</sup>

It is thus evident that the Hasinai settlements by no means corresponded to the Spanish notion of a pueblo, built in close order. To induce the natives to congregate in such pueblos, as a means of civilizing them, was a chief aim of the government and the missionaries, and failure to accomplish this was a primary cause of the abandonment, after fifteen years of effort, of all but one of the missions of the group.

#### NUMBERS.

It is easy to gain an exaggerated notion of the numerical strength of the native tribes. Popular imagination, stimulated by the hyperbole of writers for popular consumption, has peopled the primitive woods and prairies with myriads of savages. Students, however, have shown that this is an error, and that the Indian population has always been, in historical times, relatively sparse. In their efforts to counteract these exaggerated notions, they, indeed, have leaned too far in the opposite direction.

<sup>1</sup>Joutel, in Margry, *op. cit.*, III 392; Ramón, Derrotero, in the Archivo General y Público, Mexico, entry for July 7; Espinosa, Diario, entry for July 10.

<sup>2</sup>*Crónica Apostólica*, 440 (1746).

<sup>3</sup>*Ibid.*

The Hasinai, apparently one of the most compact native populations within an equal area between the Red River and the Rio Grande, numbered only a few thousands at the coming of the Europeans. What I have already said about the nature of their villages has, perhaps, prepared the reader to believe this assertion. While our statistical information on this point does not constitute entirely conclusive evidence, it does, nevertheless, give us a basis for plausible conjecture.

The earliest estimate that might be called general is that contained in a *mémoire* of 1699, printed by Margry, and based apparently upon the report of one of the survivors of the La Salle expedition. The *mémoire* states that from "Bay Saint-Louis [Matagorda Bay] going inland to the north-northwest and the northeast there are a number of different tribes. The most numerous is the Cenys and Ascnys, which, according to the opinion of a Canadian who has lived several years among them, form but one village and the same nation. He estimates that they do not exceed six hundred or seven hundred men. The Quélanouchis [Karankawa], who live on the shores of the sea about Bay Saint-Louis, are four hundred men."<sup>1</sup>

It would seem that in this passage the term "Cenys et Asenys" corresponds closely with the term Hasinai as I have used it, unless, as is probable, the Nasoni are excluded; but, since this is not certain, the estimate, though based on long experience, would not be conclusive without corroborating testimony. This we get in 1716. Ramón tells us that the four missions founded by his expeditions, which were within easy reach of all the tribes described, "would comprise from four thousand to five thousand persons of all ages and both sexes."<sup>2</sup> In the same year Espinosa recorded in his diary his opinion that the Indians grouped around the three Querétaran missions, not including the mission among the Nacogdoche and the Nacao, would number three thousand; and after a residence there of some years he estimated the number of persons within range of each mission at about one thousand.<sup>3</sup> This estimate must have

<sup>1</sup>Mémoire de la Coste de la Floride et d'une partie du Mexique, in Margry, *op. cit.*, IV 316.

<sup>2</sup>Derrotero, in *Mem. de Nueva España*, XXVII, 160.

<sup>3</sup>*Crónica Apostólica*, 439.

had a good foundation, for we are told that the *padres* kept lists of all the houses and of the persons in each.<sup>1</sup>

Assuming that the *mémoire*, Ramón, and Espinosa include the same tribes in their estimates, it will be seen that the first is somewhat the more conservative. This fact strengthens the probability that, like other early reports, the *mémoire* did not include the Nasoni in the Hasinai.

So much for general estimates for the whole group. Detailed information concerning some of the individual tribes appears in 1721. When Aguayo in that year re-established the missions that had been abandoned some two years before, he made a general distribution of presents and clothing among the Indians at the different villages. At the mission of San Francisco de los Neches he gave the Neche chief the Spanish *baston*, token of authority, and "clothed entirely one hundred and eighty-eight men, women, and children." Never before had they received "such a general distribution." West of the Neches Aguayo had been visited by a hundred Nacono from down the river. At the mission of Concepción he requested the Hainai chief, Cheocas by name, to collect all his people. This took some time, as they were widely scattered, but several days later they were assembled, and Aguayo gave clothing and other presents to four hundred, including, possibly, eighty Kadohadachos, who happened to be there on a visit. Similarly, at the Nacogdoche mission he provided clothing "for the chief and all the rest," a total of three hundred and ninety; and at the Nasoni mission for three hundred.<sup>2</sup> This gives us a total of less than fourteen hundred Indians who came to the missions during Aguayo's *entrada* to take advantage of the ever welcome presents. This number apparently included the majority of the five most important tribes, and probably included some from the neighboring smaller tribes attached to the missions.

The conclusion is that the estimates of Ramón and Espinosa, which put the total number of inhabitants included in 1716 in the ten or more tribes about the four missions at four or five thousand are sufficiently liberal. If this conclusion is true, the tribes could not have averaged more than three or four hundred persons each.

<sup>1</sup>*Crónica Apostólica*, 439.

<sup>2</sup>Peña. Diario, in *Mem. de Nueva España*, XXVIII, 36, 39, 41, 43, 44.

The territory then occupied by perhaps four thousand Indians now supports one hundred thousand people.<sup>1</sup> Kept down by epidemics, crude means of getting food, and to some extent by war, the number of these natives was small. But few then, they are incomparably fewer today, for the descendants of all these tribes, now living on the reservations, do not exceed two hundred or three hundred souls.<sup>2</sup>

<sup>1</sup>The surviving Caddo and Hasinai together numbered 551 persons in 1906 (Data given by Dr. Mooney in a communication of April 23, 1908).

<sup>2</sup>Estimate based on the United States Census for 1900.

## PRESIDENTIAL RECONSTRUCTION IN TEXAS.

CHARLES W. RAMSDELL.

## I. THE ESTABLISHMENT OF PROVISIONAL GOVERNMENT.

1. *The Inauguration of Provisional Government.*

On June 17, 1865, soon after it became known that armed resistance had ceased in the Trans-Mississippi Department and that troops had been despatched to occupy Galveston, President Johnson, in pursuance of the policy already adopted in other Southern States, appointed A. J. Hamilton provisional governor of Texas. Hamilton was a native of Alabama who had come to Texas in 1847 and had become prominent in politics before the war. He had been Attorney-General of the State and in 1858 had been elected to Congress. Along with Houston and others he had vigorously opposed secession and refused adhesion to the Confederacy, but had remained in Texas until 1862, when, threatened with military arrest, he escaped into Mexico and thence to New Orleans. Here he entered the Federal army as a brigadier-general of volunteers, and in 1863, when the Brownsville-Red River expedition into Texas was projected, he was given a commission as military Governor of the State by President Lincoln. He was, therefore, regarded by President Johnson as logically the man for Provisional Governor after the surrender of the Confederate authorities. Hamilton was a man of energy and ability, of sturdy honesty, aggressive and uncompromising, and though prone, when excited, to violence and harshness of speech, restrained and governed in action by an unfailing generosity and abundant common sense. He was an orator of extraordinary power and had enjoyed the reputation of being one of the ablest lawyers in the South. The news of his appointment was received with general satisfaction by the Unionists and with some misgivings on the part of those who feared he was returning for purposes of vengeance.

The proclamation which contained his appointment declared it to be the duty of the United States to guarantee to each State a republican form of government, and that, in-as-much as the

rebellion had deprived the people of Texas of all civil government, it was now the solemn duty of the President, imposed by the constitution, to enable the loyal people there to organize a State government. The Provisional Governor was directed to prescribe at the earliest practicable period such rules and regulations as might be necessary and proper for holding a convention composed of delegates to be chosen by that portion of the people of the State who were loyal to the United States, and no others, for the purpose of altering or amending the constitution of the State; and he was given authority to exercise all necessary and proper powers to restore the State to its constitutional relations to the United States; provided that in the election for delegates to the convention no person should be eligible either as an elector or as a member of the convention unless he had previously taken the oath of amnesty, as prescribed in the President's proclamation of May 29, 1865, and was a voter as prescribed by the constitution and laws of the State in force immediately before secession. The military commander of the department and all other military officers in the service of the United States were directed to aid and assist the provisional governor in carrying the proclamation into effect, and were enjoined to abstain from hindering or discouraging in any way the loyal people from organizing a State government. The Secretary of State was directed to put in force all the laws of the United States, the administration of which belonged to his department and which were applicable to the State of Texas; the Secretary of the Treasury was to proceed to nominate the officers necessary to put into operation the revenue laws, giving preference in each case to loyal persons residing within the district; the Postmaster-General was directed to re-establish the postal service; the United States District Judge for the district of Texas was authorized to hold courts according to the acts of Congress; the Attorney-General was directed to instruct the proper officers to libel, bring to judgment, confiscation, and sale such property as had become subject to confiscation; and the Secretaries of the Navy and the Interior were directed to put in force such laws as related to their respective departments.<sup>1</sup>

Governor Hamilton arrived in Galveston on July 21, where

<sup>1</sup>*Messages and Papers of the Presidents*, Vol. VI, p. 321.

he was welcomed by a delegation of Unionists. From here he sent a cheerful letter to the President, expressing the conviction that all classes, except certain of the ex-slaveholders, were friends of the Government and were rapidly availing themselves of the President's amnesty proclamation. He deprecated a tendency on the part of the planters to keep the negro in some sort of bondage and to talk of "gradual emancipation" even after having subscribed to emancipation in their oath of amnesty.<sup>1</sup> On the 25th he issued from Galveston a proclamation "to the people of the State of Texas," reciting the manner and purpose of his appointment and indicating in a general way the course he expected to take with respect to the election of a convention and the appointment of civil officers. Suitable persons were to be appointed in each county to administer the oath of amnesty<sup>2</sup> and register the loyal voters. Civil officers for the State, districts, and counties were to be appointed provisionally. The general laws and statutes in force in the State immediately prior to the ordinance of secession, except in so far as they had been modified by the emancipation of the slaves and by acts of Congress for the suppression of the rebellion, were declared in force for the direction of courts and civil officers; all pretended State laws passed since secession were inoperative, null, and void. There was to be "amnesty for the past, security for the future," but the people must accept the fact that slavery was wholly dead and that the negroes would be protected in their freedom by the United States. Finally, loyal men from every part were invited to visit the capital and confer with the Governor upon the conditions of the State.

<sup>1</sup>MS. in *Johnson Papers*.

<sup>2</sup>General pardon and amnesty had been proclaimed by President Johnson for all who had taken arms against the United States, except certain specified classes, provided they would first subscribe to the following oath: "I....., do solemnly swear (or affirm), in the presence of Almighty God, that I will henceforth faithfully support, protect, and defend the Constitution of the United States and the union of the States thereunder, and that I will in like manner abide by and faithfully support all laws and proclamations which have been made during the existing rebellion with reference to the emancipation of slaves. So help me God." The classes, fourteen in number, excepted from the privileges of the general amnesty were, chiefly, high officials under the Confederacy, or those who had left the service of the United States to take service with the Confederacy, or those who owned property to the value of over \$20,000. It was necessary for these to secure a special pardon from the President. —*Messages and Papers of the Presidents*, Vol. VI, pp. 310-312.

When the Provisional Governor arrived in Austin a few days later, he was received with enthusiastic ceremony by the Unionists, of whom there were a large number in the city. He found all affairs of state in confusion. There were no officials of a civil character, the treasury had been looted, the various departments were untenanted, the records were precariously exposed, there was even no roof on the capitol building. Immediately a commission was appointed to look into the condition of the treasury and the Comptroller's department and to audit their accounts; State agents were appointed to look after and take charge of State property of whatever description in the various districts; and other agents were empowered to locate and recover if possible bonds alleged to have been illegally disposed of during the war. Judge James H. Bell, formerly Associate Justice of the Supreme Court of the State, and prominent as a Union man, was appointed Secretary of State; Wm. Alexander, another Union man, who, it appears, had secretly opposed Hamilton's appointment, was made Attorney-General. Taxes were assessed by proclamation and ordered collected. In response to the invitation above mentioned, within a short time deputations of loyalists from over eighty counties made their way to Austin to aid in reorganizing the government. These men furnished the Governor names of loyal citizens from their counties for appointments to office, and were generally relied upon by him for information concerning conditions in the various parts of the State.

As rapidly as possible, officers of district, county, and justice courts, sheriffs, tax assessors and collectors, and county commissioners were appointed, and the machinery of the law set in motion. The courts were directed to proceed with the trial of all civil and criminal cases in conformity with existing laws of the State, that is, laws passed prior to 1861, and of the United States.<sup>1</sup>

<sup>1</sup>In one important particular a limitation was placed upon the jurisdiction of the courts. Suits for the collection of debts and for the determination of rights of every kind could be instituted, and in those involving titles to land, damages, etc., the courts could proceed to final judgment and execution; but in suits for the collection of debts where the plaintiff was entitled to a writ of injunction, sequestration, or attachment, the court could not proceed to final judgment and execution.—See proclamation of September 8, *Executive Records, Register Book*, 281.—The reason for this was that, in the prevalent condition of disorder and financial depression, property disposed of by forced sale would bring little

The time of holding district courts and the form of the districts were to conform to acts passed since secession "out of considerations of public policy and convenience." Negroes were to be tried and punished in the same manner as whites, but the Governor left the question of their admission as witnesses to be determined by the courts themselves on the ground that it was a judicial and not a political question, and that an executive decision might be overruled by some subsequent Supreme Court, or that the principle might fail to be embodied in the Constitution by the future convention.<sup>1</sup> Attorneys-at-law not in the classes excepted from the general amnesty were, upon taking the amnesty oath in open court, to be allowed to practice.<sup>2</sup> In all appointments, subscription to the amnesty oath was required, but preference was given to men of undoubted loyalty in so far as such matters could be determined. In many counties fit "union" applicants were so scarce that it was necessary to appoint secessionists. A notable case of this sort was the selection of Richard Coke, later Governor and United States Senator, as judge of the Nineteenth Judicial District. Though there were frequent complaints from disgruntled "loyalist" office-seekers, the appointments seem to have given general satisfaction.

The chief duty of the Provisional Governor, as set forth in the

or nothing and an injustice would be worked upon the debtor. Later, by proclamation of December 5, the courts were empowered to proceed in such cases to final judgment, but execution was stayed.

<sup>1</sup>A. J. Hamilton to I. R. Burns, *Executive Records, Register Book*, 281. The courts, thus left to themselves, varied greatly in their rulings, Judge C. C. Caldwell, in his charge to the grand jury of Harris county, instructed it that the abolition of slavery "has swept away those distinctions both as to protection and liability to punishment which have hitherto existed between whites and blacks." These distinctions and the exclusion of negroes as witnesses had been necessary to the secure tenure of the slaves; but "when the reason of the law fails, the law likewise fails," therefore "the late slaves, now freedmen, stand upon terms of perfect equality with all other persons in the penal code." Hence all persons were alike subject to the penal law, and it necessarily followed "that persons of African descent" were "competent witnesses where any of their race were parties." *Tri-Weekly Telegraph*, November 29, 1865. This was the view that Hamilton himself held. In most cases, however, the courts considered themselves bound by the State laws of 1860 which prohibited negro testimony in any form.

<sup>2</sup>This rule was later so far modified as to allow attorneys and other persons in the excepted classes, when they had been recommended by the Governor to the President for special pardon, to follow their professions pending the decision of the President.

proclamation containing his appointment, was to provide for the assembling of a constitutional convention elected by the loyal people of the State. The test of loyalty was simply the taking of the oath of amnesty, a policy sufficiently generous, and based, no doubt, upon the idea that the majority of the people had entered the war reluctantly and were at heart well-disposed toward the Federal government. In accordance with instructions, Governor Hamilton, on August 19, issued a proclamation providing for the registration of voters. In each county the chief justice, the district clerk, and the county clerk were to act as a board of registration and sit at least one day in each week at the county seat. The oath of amnesty was to be administered to all who applied, both to those who sought registration as voters, and to those who, being within the exceptions to the general amnesty, took it as a preliminary step toward special pardon. Separate rolls were to be kept of these two classes. Meanwhile, the order for an election of delegates was withheld until the results of the registration should become known. This work, however, proceeded very slowly. Since there were no mails, it was many weeks before the proclamation reached some of the counties, and for those who lived far from the county seat where the board held its meetings, registration was usually a process involving considerable inconvenience. But even when this was not the case the people responded to the invitation without enthusiasm. The newspapers throughout the State united in urging them to register in order to hurry along the restoration to normal conditions. At the same time they urged the Governor to order an election and to assemble the convention as early as possible, for in all the other Southern States the conventions had completed their labors by the end of October.

## 2. *General Conditions of Loyalty and Disloyalty in the State.*

But the Governor and his friends were of the opinion that Texas was not yet in the proper condition for the calling of the convention. It seemed to them that the people were not yet free from their ante-bellum delusions and had not yet clearly understood the problems they faced and the proper way in which to solve them. They discovered, for instance, a lingering belief that compensation might yet be secured for the loss of slaves, and hence a reluctance

to take the amnesty oath lest they in some way estop themselves from claiming the compensation. There was still talk, here and there, of gradual emancipation; there was a disposition in some of the remote districts to keep the negroes in bondage and to treat with cruelty those who endeavored to exercise their freedom. A large part of the press and most of the secessionist politicians were prejudiced against the Governor and secretly or openly hostile to the plans of the government. Therefore, it seemed to them necessary, first, to establish order and civil authority through the power of the provisional government and to enable the United States courts to repress treasonable action, and then allow time for the public mind to become tranquillized and to be directed fairly toward the changes that would be necessary in the Constitution. Because of the vast extent of the State and the impracticability of distributing sufficient troops everywhere to secure a speedy restoration of order, and owing to the utter absence of mail facilities for informing the people of the intentions of the government, it seemed best to make haste slowly.<sup>1</sup> Accordingly, with the view of making clear the work that must be done in the convention, if the State was to enjoy a speedy restoration to its normal place in the Union, the Governor issued on September 11, a lengthy address to the people of the State. After reviewing historically the whole question of slavery and secession, which he regarded as a long-continued and elaborate conspiracy against the Union, originally aiming at secession and an aristocratic government in the South, and warning them against the press and the politicians "who were still trying to mislead them by the same deadly doctrines," he explained the necessity for his actions as Governor, and then proceeded to state his views on that problem which he thought the people were least ready to solve in a manner satisfactory to the Federal government. Slavery, he again assured them, was already wholly dead and could not be revived in any form. Compulsory labor laws would be regarded by the people of the North as a mere subterfuge and would not be tolerated, for the people of that section were united upon this one thing as they had never before been untied upon anything—"that slavery must cease forever." Now that the negro was to remain free, he must be given

<sup>1</sup>Letter of James H. Bell, E. M. Pease and others; also of A. J. Hamilton in MS., *Johnson Papers*.

equal civil rights with the white man, and should have his testimony admitted in the courts in all cases, subject only to the rules which applied to the testimony of whites. He warned them that unless some such action was taken, it would be useless to expect that senators and representatives from Texas would be allowed to take their seats in Congress.<sup>1</sup> In conclusion, he promised that the convention would be called as soon as the people had qualified by taking the oath of amnesty and had an opportunity to discuss and consider well the momentous questions upon which their delegates would be required to take action, for it was essential to the speedy restoration of the State that no mistake be made.

But whatever of wartime prejudice they may have harbored against the Provisional Governor and whatever they may have thought of his attitude upon the negro question, the people gave abundant evidence of good will toward the provisional government itself. So weary had they become of disorder and lawlessness and so fearful of a purely military government, that any civil authority, even though one not of their own choosing, was welcome. As soon as the new State government had been set up, public meetings, usually without regard to political affiliation, were called in many counties, and resolutions were passed tendering the Provisional Governor the support of the citizens in the maintenance of law and order and in the restoration of the civil government on the basis of the President's policy. In addition, just and liberal treatment of the freedmen was usually advocated, sometimes the people were urged to qualify as voters, and it was recommended that similar meetings be held in other counties. In some instances where the secession element was preponderant, the resolutions simply "accepted the situation" and pledged support to the authorities.<sup>2</sup>

Party lines had by no means vanished though at times ignored. The secessionist leaders were, of course, generally quiet, but the approach of Federal troops and the return of numbers of refugees had

<sup>1</sup>The *Tri-Weekly Telegraph* had long before, July 18, expressed identical views. In commenting on the Governor's address it emphatically endorsed his recommendations and urged the people to "support them promptly and in good faith."

<sup>2</sup>For these meetings see the *Tri-Weekly Telegraph*, *Texas Republican*, *State Gazette*, *San Antonio Herald*, and other papers throughout July and August, 1865.

emboldened the Unionists in many localities to form Union associations that did not hesitate to take up a partisan attitude. "The Loyal Union Association" of Galveston, for example, organized the same day that Hamilton arrived from New Orleans, pledged itself "to vote for no man for office who had ever by free acts of his own tried to overthrow the government, but to support Union men always."<sup>1</sup> The "Union Association of Bexar County" in November declared that it was necessary for Union men to be on their guard lest the element which had endeavored to destroy the Union get into power again, for the struggle, "not of arms but of principles," was to be fought over again.<sup>2</sup>

A cardinal doctrine of these Union associations was that a large portion of the people of the State did not deserve to be re-invested with political power because of continued disloyalty to the Federal government. Assertions to this effect were constantly reiterated and found prominent place in Northern journals almost to the exclusion of reports of any other kind from Texas. As to the real strength of the loyal or disloyal sentiment in Texas at that time no accurate statement is possible. Beyond doubt, most people were not enthusiastic in their loyalty, and it was but natural that after four years of war such should have been the case. On the other hand, there was less bitterness than was manifested under the harsh congressional policy a few years later. Few had enjoyed the arbitrary regulations and exactions which the Confederacy had been obliged to impose, and they had few regrets for the passing of that government. Perhaps the chief resentment against the conqueror grew out of the loss of their property in slaves; and it seems certain that their tardiness in taking the oath of amnesty, set down by some as a proof of disloyalty, was largely due to a fear that such action might debar them from any future compensation. The charge that they and their late leaders hoped to get control of the State government again was beyond question true, but as they had not been disfranchised, there was no sensible reason why they should not have expected that. That they would have used the power thus recovered "to renew the rebellion" is in every way inconceivable, but that they would have turned it against

<sup>1</sup>See *Flake's Bulletin*, July 22, 1865.

<sup>2</sup>See *The Tri-Weekly Telegraph*, November 29, 1865.

the northern radicals is certain, and to condemn that as treason seems a curious perversion of the term.

Most of the charges of disloyalty in Texas were based upon alleged persecution and maltreatment of Union men and freedmen. It must be admitted that violence of this sort constantly occurred, but it appears to have been due far less to actual hostility to the Federal government than to the wide-spread disorder and lawlessness attending the break-up and the interregnum following it. The absence during that time of the ordinary peace officers had given free sway to turbulent characters of all sorts, encouraged pillage and robbery, permitted neighborhood feuds, jayhawking and guerilla marauding; and it is notable that violence was not directed against Unionists and freedmen alone. The fact that Union men had not always fully recovered their popularity was not evidence in itself of actual disloyalty, and that advantage was taken of such unpopularity by the rowdies who bullied, threatened, and sometimes robbed or murdered them, is proof of the weakness of the arm of the law rather than of anything else. The violence toward freedmen was due partly to that tendency of rowdism to attack the weak and unprotected, and partly to resentment at the new insolence and the irrepressible bumptiousness of the freedman himself.

In many counties the outlaws were so numerous and so well organized that they could defy arrest, and in others so few of the citizens had taken the amnesty oath that the courts were hampered and delayed by the difficulty of procuring jurors.<sup>1</sup> The number and character of the general petitions to the Governor from various parts of the State asking for troops or the organization of county police is sufficient proof of the nature of the disorders. For example, one from Bell County, October 9, recites that "the civil authorities are helpless because the county is full of ruffians and lawless men," and demands troops. Another from Grayson County, November 10, declares that "laws can not be enforced without the aid of the military."<sup>2</sup> In a letter to General Wright, September 27, the Governor said that crime was everywhere rampant, that the civil authorities alone could not be de-

<sup>1</sup>Jno. A. Buckholts to Governor Hamilton, MS. in *Official Correspondence*.

<sup>2</sup>MSS. in *Official Correspondence*.

pended upon for some time, and that in many counties the civil process could not be executed. He requested that military forces pass through the counties where none were stationed.<sup>1</sup> But there were large districts comprising several counties that contained not a single soldier, and the troops were not sufficient to police thoroughly the vast territory over which they exercised authority. Therefore, in response to petitions<sup>2</sup> from various quarters where outrages were occurring, and from others where fears of a negro uprising were felt, the Governor issued a proclamation, November 18, authorizing the organization of a police force in each county to be subject to the civil authorities and to act with the military. This police force was actually organized in several counties and seems to have been very effective in checking the disorders.

Under conditions of such universal violence and confusion, it would have been strange indeed if Union men had not been subject to insult and outrage. Undoubtedly there were cases of unprovoked violence against them, there were cases in which mobs were guilty of intensely disloyal conduct, as when a crowd tore to pieces a United States flag on the court house at Weatherford,<sup>3</sup> or when another mob at Bonham beat and shot at a number of negroes and destroyed a flag.<sup>4</sup> But such occurrences were few and the preponderance of evidence goes to show that most of these outrages were committed in the northern part of the State and were the work of outlaws who had their headquarters in the Indian Territory and plundered and murdered without distinction of party.<sup>5</sup>

Whether intended for that purpose or not, the reports that went from Texas of the mistreatment of Unionists made excellent political capital for the radical extremists in Congress who had already begun their attack on the President's policy of restoration. Many of these stories were of the most extraordinary sort,—such, for example, as those in the anonymous letters which Mr. Sumner was

<sup>1</sup>*Executive Records, Register Book*, 281.

<sup>2</sup>Various MSS. in *Official Correspondence*.

<sup>3</sup>B. F. Barkley to Governor Hamilton, MS. in *Official Correspondence*.

<sup>4</sup>R. B. Sanders to Anthony Bryant, endorsed by Col. M. M. Brown, U. S. A., MS. in *Official Correspondence*.

<sup>5</sup>Judge Robert Wilson to Governor Throckmorton, MS. in *Official Correspondence*; testimony of Ben C. Truman before Reconstruction Committee, *House Com. Reports, 1st Sess., 39th Cong., Vol. 2, Part IV*, p. 137; Kendall to Schuyler Colfax in *San Antonio Herald*, April 20, 1866.

so fond of reading in the Senate,<sup>1</sup>—and are unworthy of serious attention. Perhaps the statements that gained most credence at the North were those of Federal officers who had been stationed in Texas. One of these, General Wm. E. Strong, Inspector General on the staff of General O. O. Howard, is quoted in the *New York Herald*, in January, 1866, as saying that Texas was in the worst condition of any State that he had visited, that almost the whole population was hostile in feeling and action to the United States; that there was a mere semblance of government, and that the whites and negroes were everywhere ignorant, lawless, and starving.<sup>2</sup> When before the Reconstruction Committee in March he reiterated the statements, adding that “one campaign of the United States army through eastern Texas, such as Sherman’s through South Carolina, would greatly improve the temper and generosity of the people.” General David S. Stanley, who had been stationed at San Antonio after the “break-up,” stated before the same committee that “Texas was worse than any other State because she had never been whipped,” that the women were universally rebels, and that in case of a foreign war almost the entire population, with the exception of the Germans, who were very loyal, would go over to the enemy.<sup>3</sup> It was also commonly asserted that many rebels who had been quiet and submissive at the close of the war, were now, at the prospect of recovering control of the State, growing insolent and defiant.

### 3. *The Freedmen and the Freedmen’s Bureau.*

There was no subject connected with the restoration of the State government to the control of its people that the general public in the North watched with greater solicitude than the adjustment of the new relations with the freedmen. It had been announced that the treatment accorded these wards of the nation could be taken as a sure index of the loyalty of the Southern people. It was unfortunate that this mistaken idea should have been so gener-

<sup>1</sup>See *Congressional Globe*, 1st Sess., 39th Cong., pp. 91-95.

<sup>2</sup>*Flake’s Bulletin*, though a staunch Unionist paper, declared this interview “a mere reporter’s yarn” because it contained so many false statements.

<sup>3</sup>See *House Com. Reports*, 1st Sess., 39th Cong., Vol. 2, Part IV, pp. 37 and 39-40.

ally accepted, and unfortunate, again, that the people of the South could not at once appreciate its power and the necessity of conciliating it. To the Northern mind, as the rebellion had been in behalf of slavery, the complete destruction of that institution was the surest guarantee of the preservation of the Union, and any attempt to evade it was regarded as an expression of rebellious sentiments. To the Southerner, emancipation had presented itself chiefly as a confiscation of his property, as an unwise and arbitrary upsetting of the industrial system to which the negro belonged, and as an injustice to the negro himself. The most immediate and pressing problem, as it seemed to him, was to preserve the normal balance of society, and to provide for the freedman an industrial position in that society such that agricultural interests would suffer the least possible additional shock, for it was generally believed that free negro labor would be a failure and that a labor famine was imminent.<sup>1</sup>

In fact, the experiences of the summer of 1865 had been such as to warrant no other opinion. In the south central and southeastern counties in particular, where the actual presence of the military made it difficult for the whites to apply coercion, the blacks had, with some exceptions, either preferred not to enter into contracts to labor or had not kept them when made. How could they be free, they reasoned, so long as they still had to work in the fields? Throughout the summer months they had slipped away from the plantations as opportunity offered or whim suggested, and despite the military regulations to the contrary, large numbers collected around the towns where, luxuriating in idleness and heedless of the next winter, they eked out a meagre subsistence by petty thieving, begging, or doing occasional odd jobs. Crowded together indiscriminately in small huts they rapidly fell victims to disease and vices of all sorts.<sup>2</sup>

Meanwhile the harvest time approached and despite the fact that the acreage was not large, there were not enough laborers to gather

<sup>1</sup>It was because of this that throughout 1865 and 1866 a constant agitation was going on for promoting the immigration of white labor. One meets it everywhere, in the press, in public speeches, in resolutions of public meetings, in the deliberations of the constitutional convention and of the Legislature.

<sup>2</sup>See *The Southern Intelligencer* (Austin), September 29. All newspapers of the late summer bear evidence to this effect.

the crops. The freedmen had become possessed of the singular delusion that on the following Christmas the government would divide among them the lands of their former masters. The government had given them their freedom without their asking for it, they had heard rumors from various quarters that they would be given property,—why should it not be true? There was no use in working if they were to be made rich in a little while, so they met all propositions to work with the response, "We'll wait 'til Christmas."<sup>1</sup> It is small wonder that the planter who saw his old field hands idling their time away in town, improvident as children, making no preparations for the rigors of winter, sinking into demoralization and erime, while his crop went to waste for the lack of their labor, should have looked forward to some remedy, some law that would bring back these victims of a mistaken philanthropy to the work which their own welfare as well as that of the general public seemed to demand. None but a system of coercion, he thought, offered any promise of the necessary relief.

The Freedmen's Bureau, created by Act of Congress, March 3, 1865, to take control of all subjects relating to freedmen, refugees, and abandoned lands in the conquered States, like other forms of Federal authority, had not been extended to Texas until much later than elsewhere. The Assistant Commissioner appointed for Texas, General E. M. Gregory, arrived at Galveston late in September, and, although he seems to have been actively at work, it was not until December that he so far perfected an organization as to appoint a dozen local agents, of whom five were civilians, at the most important points in the interior.<sup>2</sup> In the meantime,

<sup>1</sup>*Weekly State Gazette* (Austin), November 25, 1865.—It is impossible to fix the whole responsibility for this belief. The Federal officers said that it should fall upon those citizens and public speakers who during the war declared that if the "Yankees" won, the negroes would be freed, property confiscated and given to them, and the whites enslaved. The negroes believed and remembered. Strong, *H. Exec. Docs., 1st Sess., 39th Cong.*, No. 70, p. 308. The citizens, on the other hand, asserted that the Northern radicals who talked of "forty acres and a mule" had started it; and that many of the Federal soldiers, in order to wheedle money from the negroes, fraternized with them, told them there would be a division of land at Christmas, and that the soldiers who had won them their freedom would help them and stand by them.—C. B. Stuart to Governor Hamilton, MS. in *Official Correspondence*.—Probably both accusations were true.

<sup>2</sup>See his *Circular Order No. 2, House Exec. Docs., 1st Sess., 39th Cong.*, No. 70, p. 147.

the local work had been carried on by the various post commanders. From the beginning General Gregory addressed himself assiduously to ameliorating the condition of the labor situation. In his first circular order, October 12, after emphasizing their freedom and making clear that it was the office of the Bureau not only to act for them and to adjudicate all cases in which they were concerned if the civil courts failed them, but also to give them substantial protection, he urged upon the freedmen the necessity for their going to work under contracts carefully drawn up and approved and registered by the Bureau. All officers and good citizens were enjoined to disabuse the minds of the freedmen of any idea of a Christmas division of property. In November, General Gregory, in company with Inspector-General Strong, made a tour through the eastern counties for the purpose of acquainting himself with conditions there. During the trip he endeavored to give the blacks a knowledge of their true condition, especially with reference to the necessity for and the manner of making contracts for the next year. He returned exceedingly optimistic with regard to the character and promise of the sable populace.<sup>1</sup>

In the meantime, so many petitions had poured in upon the Governor to forestall a threatened uprising of the blacks at Christmas that he authorized the organization of county police.<sup>2</sup> Furthermore, on November 17, he issued an address to the negroes which he caused the chief justice of each county to read to them. He told them in the plainest terms that they must go to work, that they could not remain idle without becoming criminal, that they would get nothing more from the government either at Christmas or at any other time, and that if they disturbed the property of others they would be severely punished. Reinforced by the efforts of General Gregory and the army officials the address seems to have had a very good effect, but many of the negroes

<sup>1</sup>In the light of over forty years subsequent history, the following statement made soon afterwards, is highly diverting: "The freedmen are, as a general thing, strongly impressed with religious sentiments, and their morals are equal if not superior to those of a majority of the better informed and educated. We find them not only willing but anxious to improve every opportunity offered for their moral and intellectual advancement," etc. It is also an example of the pathetic ignorance which some of these high officials had of their wards. Report to General O. O. Howard, *House Exec. Docs., 1st Sess., 39th Cong., No. 70, p. 375.*

<sup>2</sup>See above, p. 287.

still cherished a lingering hope until it was dispelled at Christmas.

General Gregory exerted himself during December and January to put labor upon a firm basis for the next year; and, though his lack of intimate understanding of the negro character and his failure to appreciate and to take into account the common notions of social precedence often gave offense to the whites and retarded somewhat the success of his plans, his energy and perseverance did much to bring about a more hopeful situation. Planters were urged to settle with the laborers for the past season and to make contracts with them at once for the ensuing year on fair and liberal terms.<sup>1</sup> In order to promote the contract system he made a trip through the lower river-bottom counties where the black population was densest. General conditions came to his aid. Cotton planting was immensely profitable because of the high prices then being paid for the staple and planters who were sceptical of free negro labor grew willing to give it a trial. With the calling of the constitutional convention, political affairs began to assume a more stable aspect, so that people were no longer apprehensive of confiscation. Many of the blacks who had been brought into Texas during the war were now making their way back into the other States.<sup>2</sup> The demand for labor grew keener. On the other hand, the negroes, having been disappointed in their Christmas expectations, were more ready to work. In many instances, too, where they were out of reach of the Bureau's commissary stores, their previous improvidence now forced them to work to secure food. A report from Washington County in the black belt, January 24, stated that in that county two-thirds of the freed population were then at work at good wages, that seven thousand contracts had been filed already, and that unemployed freedmen were becoming scarce.<sup>3</sup> Similar reports came from other com-

<sup>1</sup>There was considerable complaint on the part of the blacks that they were not promptly paid for the season past. The delay was sometimes due to the scarcity of specie, sometimes there were disputes over alleged violations of contracts by negroes, sometimes the employer dishonestly endeavored to take advantage of the freedman's ignorance. Frequently the contracts made in the early summer had provided that the negroes work for board, clothing, and medical attendance, and these also were prolific sources of trouble. See page 217 above.

<sup>2</sup>Report of General Strong, *House Exec. Docs., 1st Sess., 39th Cong., No. 70*, p. 312.

<sup>3</sup>*Flack's Bulletin*, January 24, 1866.

munities and the situation gradually grew more promising throughout the State.

It may not be inappropriate at this point to indicate briefly the general character of the work the Bureau had to do in Texas. There were no abandoned lands in the State and the Union refugees usually depended upon the military for such protection as they needed; consequently the activities of the Bureau were confined to looking after the interests of the negro. These activities may be classified roughly as relief work, educational work, labor supervision, and judicial protection. Its supervision of labor interests, that is, oversight of contracts and wages, has already been considered, and for the others brief statements will suffice. The actual relief work done was comparatively slight. Rations had been issued somewhat extensively by the military authorities in the early summer, but since there was plenty of food to be had for work, this practice was gradually checked. During the winter the number fed had increased, but by the end of January only sixty-seven were receiving government support.<sup>1</sup> One hospital had been established, but ceased to be used after the close of winter.<sup>2</sup> The educational work was under the charge of Lieutenant E. M. Wheelock, who, by the end of January had in operation twenty-six day and night schools with an enrollment of about sixteen hundred pupils.<sup>3</sup> These schools were supported partly by voluntary contributions, partly by a small tuition fee. But that function of the Bureau which, from the manner in which it was exercised, caused more irritation to the whites than any other, was the extension of protection over the negro in the State courts. In localities where such courts, by reason of the old code, refused to allow the negro to give testimony or otherwise denied him justice, it was made the duty of all Bureau officials to withdraw from the courts and themselves adjudicate cases in which a freedman was concerned.<sup>4</sup> Unfortunately, the wide powers here implied were

<sup>1</sup>Gregory to Howard, *House Exec. Docs.*, 1st Sess., 39th Cong., No. 70, p. 305.—Sick and aged negroes were required to be supported by their former masters.

<sup>2</sup>Peirce, *The Freedmen's Bureau*, p. 90.

<sup>3</sup>Gregory to Howard, *House Exec. Docs.*, 1st Sess., 39th Cong., No. 70, p. 307.

<sup>4</sup>O. O. Howard, *Circular Order*, *House Exec. Docs.*, 1st Sess., 39th Cong., No. 70, p. 146.

not always used with honesty or discretion; and too often, by arbitrary or needless interference with the regular courts, the Bureau forfeited public confidence and weakened its efforts along other lines. However, the worst abuses developed only after the suffrage had given political power into the hands of the negro and had made it profitable for the ambitious Bureau agent to court his favor. For the time the zealous activity of the Assistant Commissioner in clearing the towns of idle negroes won the good will of the press and the public.<sup>1</sup>

#### 4. *Relations of the Civil and Military Authorities.*

The proclamation appointing Governor Hamilton had neither clearly defined the powers of the Provisional Governor nor explained his proper relations with the military authorities further than to order that they should aid him in the performance of his duties and not interfere with him. It was evident, however, that while each within a certain sphere enjoyed exclusive authority, there was a region over which they exercised concurrent or rival jurisdiction; and it early became clear that conflicts were likely to arise in matters pertaining to the maintenance of public order, especially in criminal cases. Prior to the establishment of the provisional civil courts, all criminal cases had been disposed of through military courts; and, while it was generally expected that the latter would now abandon a large class of cases to the civil authorities, their own jurisdiction over such matters had not been expressly abrogated or curtailed. The establishment of the Freedmen's Bureau courts increased the opportunities for conflicts. There were, therefore, three classes of courts in the State, all claiming criminal jurisdiction. The military claimed control of all matters in which soldiers or employes of the government were involved, and were responsible for the maintenance of order where the civil courts were not organized; the Freedmen's Bureau exercised jurisdiction over matters relating to freedmen, especially where it was believed that the civil authorities would not do them justice; the civil courts claimed jurisdiction in all criminal cases,

<sup>1</sup>*Flake's Bulletin*, January 24; *San Antonio Herald*, March 5; *Galveston News*, March 6, 1866.

though in the face of the military power, these claims were not always strenuously asserted.

Governor Hamilton and General Wright, the department commander,<sup>1</sup> preserved amicable relations throughout, and endeavored in every way to prevent a conflict. On August 17 the former wrote to General C. C. Andrews, one of the district commanders, requesting that a white man, whom the military had arrested for the murder of a freedman, be turned over to the civil court for trial.<sup>2</sup> The Governor was evidently not sure of his ground, for he asked what course the military authorities proposed to take in criminal cases. He expressed the opinion that it would be entirely safe to remit all offenders to the civil courts for trial and that it would be good policy to do so, since the people felt much anxiety in the matter. Soon afterwards he changed his mind. On September 27 he wrote to General Wright, asking that the military branch of the government execute vigorous punishment upon criminals, and confessing that the civil authorities could not be depended upon for some time. With respect to the relations between the two, he did not regard the provisional government of the State as having superseded the military authority. His view of the political condition of Texas was this: "There is no *constitutional* State government. The provisional government of Texas is created by and exists at the will of the President. My authority as Provisional Governor is limited to such measures as may be necessary to prepare the people of the State and provide means for a convention to organize a new constitutional State government, which, when adopted and recognized by the general government, will supersede, within the limits of its jurisdiction, the military power in all things not properly pertaining to the military authority of the United States in time of peace. For the present, the action of the civil authorities created by me is allowed only as a means,—to the extent that they can be made available,—of aiding the authorities of the general government in preserving public peace and order, and in protecting individual rights and property. I have felt sure the general government would not object to such quasi-civil government as I have temporarily effected, but it would

<sup>1</sup>General H. G. Wright relieved General Granger of command of the Department of Texas on August 6, 1865.

<sup>2</sup>*Executive Records, Register Book*, 281.

be in conflict with the views of the government to claim for the provisional government any power except such as emanates directly from the President. In this view I not only see no objection to the trial of offenders before military tribunals, but believe it a necessity unavoidable without great detriment to the highest interests of the people.”<sup>1</sup>

In reply to this, General Wright disclaimed any wish to interfere with civil processes when it could be avoided. He said: “It was understood when I assumed command that, 1st, all matters between white citizens of the State were to be acted on by the civil authorities constituted by you, as far as practicable. 2nd. That matters in which freedmen were concerned were to be left to the action of the Freedmen’s Bureau, which was to act through specially appointed agents, of which your officers might form a part. 3rd. That the military authority should confine itself to matters pertaining to the military, and should give necessary aid either to the civil authority or to the Freedmen’s Bureau.” Since it seemed that this program, though highly desirable, could not be carried out, he agreed “to issue an order directing military commanders to turn over to civil tribunals all criminal cases, wherein soldiers are not concerned, where the civil authority is in condition to act, and where justice to all concerned can be looked for,—the colored man being put upon perfect equality with the white before the courts,—and where such justice can not be expected, to bring the cases for trial before a military commission or a Freedman’s Bureau court.”<sup>2</sup>

An understanding was thus effected defining more clearly the limitations within which each class of officials was to exercise jurisdiction; but it necessarily left unsettled the question as to when the civil authority was strong enough to deal with public disorders without the interference of the military, and whether the civil court was granting the freedman the privileges to which he was entitled. The effectiveness of such an agreement would depend chiefly upon the mutual forbearance of those entrusted with carrying it out in detail, and it was too much to expect a great measure of that quality from the average post commander,

<sup>1</sup>MS. in *Official Correspondence*.

<sup>2</sup>*Ibid.*

ignorant of the civil law and impatient of a less direct method than that to which the camp had accustomed him, or from the judge who sought to uphold the dignity of the civil authority and felt constrained to base his acts upon what remained of the old code.

The first serious trouble was at Victoria, where Colonel I. T. Rose, of the 77th Pennsylvania, was stationed. Eight distinct charges of outrageous conduct on the part of Rose were laid before the Governor.<sup>1</sup> Finally, a white man, M. M. Gwinn, who had killed a negro and had been acquitted in a preliminary trial in open court, in which the testimony of negroes was freely admitted, was, after being released, rearrested by Rose and confined in jail. A certified copy of the proceedings of the court was put in the hands of the Governor, who sent a peppery letter to the Colonel, demanded the release of Gwinn, and laid the matter before General Wright. Wright ordered the release of Gwinn and soon afterwards Rose was transferred to duty elsewhere.

A more serious affair occurred at Jefferson. R. L. Robertson, acting as Treasury agent, was indicted on three distinct charges, two of swindling and one of theft, by a grand jury. He was released by the interference of Captain Jones, the post commander. He was again arrested and his release was ordered of District Judge Gray by Major Clingman, at Marshall. After the judge had twice refused, Captain Jones with a body of soldiers forcibly took Robertson from jail. The civil authorities appealed to the Governor; the military appealed to their superiors. General Canby issued the following: "State courts have no jurisdiction over their (Treasury agents) official conduct, nor can they, without usurpation, investigate the title of property held by the United States as captured and abandoned." Concerning this Judge Gray wrote to Hamilton: "The District Court of Marion County has

<sup>1</sup>Among these charges were the following: (1) Robert Tippet was confined in jail for nine days on no charge whatever. He employed counsel, who was threatened with imprisonment if he pressed matters. (2) A negro, arrested and jailed for horse-stealing, was released by Rose. (3) Another negro, committed on two distinct charges, was likewise released by soldiers. (4) Judge L. A. White, who had gone to Rose to complain of depredations of soldiers, was cursed, abused, shot at, and jailed by the drunken colonel. He was released only when he agreed to drop the matter.—C. Carsner and others to Governor Hamilton, MSS. in *Official Correspondence*.

never claimed jurisdiction over the official acts of agents of the government, but when an agent violates the Penal Code, the District Court has claimed and exercised jurisdiction over him. As well had the agent claimed freedom from arrest for murder as for any other crime." The judge then said that if he could not punish cotton thieves he would not punish any, and declined to hold other courts. In the meantime, his arrest was threatened if the indictments were not withdrawn. The matter dragged along in this fashion until all attempts to bring Robertson to justice had to be abandoned.<sup>1</sup>

Aside from the disputes over the respective jurisdictions of the civil and military, in some localities the conduct of the troops was a source of irritation and complaint. In the summer of 1865 *Flake's Bulletin*, of Galveston, is full of references to outrages perpetrated by the Federal soldiers stationed in that city. Open robbery, insults to women, and disorderly conduct are matters of daily comment. The troubles at Victoria have already been indicated. These were white troops. By far the greatest complaint was against the colored troops that were brought into the State in the late summer and fall to replace the volunteer regiments that were being discharged. In November a petition was sent Governor Hamilton from Jackson County for relief from a body of three hundred negro troops that had been detailed there to cut ties for the Lavaca and San Antonio Railroad. These negroes were heavily armed and parties of them roamed about the country robbing plantations, insulting and sometimes outraging women, inciting the resident negroes to like conduct, and keeping the whole country in constant terror.<sup>2</sup> Negro troops were quartered at Galveston in the winter, and were constantly giving trouble. In the latter part of February they broke loose from all restraint and spread terror over the city. A young lady, a member of one of the most respectable families, was assaulted and horribly treated, and several persons were attacked and shot at. The *Bulletin* of February 28 says, "On Saturday these outrages reached their climax, stimulated, no doubt, by the terrible homicide of the day.

<sup>1</sup>See various letters, MSS., in *Official Correspondence*. Also *The Southern Intelligencer*, December 21, 1865.

<sup>2</sup>Petition and letters to Governor Hamilton, MSS. in *Official Correspondence*.

During Saturday and Sunday a reign of terror, which has not yet wholly subsided, held sway over the city." After recounting a number of unprovoked attacks upon the citizens, it goes on to say, "The peace of the city must be preserved. If the police force can not do it, then let the military officials take entire control; and if they can not, then the citizens must do it for themselves." There were numbers of other collisions less conspicuous. Ben C. Truman, the able correspondent of the *New York Times*, in a communication published March 5, says that large numbers of deserters from the volunteer regiments in the western part of the State were committing all sorts of murders and outrages in the country, most of which were charged against the people of that section.

#### 5. *The Frontier.*

One of the most troublesome problems that the State had to face at this time was the condition of its frontier. Although this region had been subject to attack throughout the war, some attempt at organized protection had been made by the State and Confederate authorities. After the withdrawal of the Confederate troops from the west, the Indians, the Comanches in particular, began raiding and murdering in the exposed settlements. The people were unable to defend themselves from the sudden attacks and the depredations became more frequent and of greater magnitude. Throughout 1865 and 1866 the whole extent of the frontier from north to south was in constant terror and became almost depopulated. The Governor was besieged with petitions for troops and made repeated requests to General Wright for cavalry. Wright disclaimed any authority over the cavalry and referred the matter to Sheridan. Sheridan refused the troops on the ground that they were needed at interior garrisons for the protection of freedmen. Hamilton, too, believed that there were not enough troops in the interior to maintain order, and thereafter contented himself with appealing to Washington for more soldiers for Texas. However, it was not until 1867 that frontier posts were finally established and adequate protection was afforded.

## II. THE CONSTITUTIONAL CONVENTION OF 1866.

It was not until November 15, nearly three months from the beginning of registration, that, a majority of the voters having qualified, a proclamation was issued fixing the date of the election for January 8, 1866. The convention was to meet in Austin on February 7 and the number of delegates was to be equal to the number in the Lower House of the State Legislature and distributed among the counties in like manner. Delegates were not required to be residents of the districts selecting them, and no person within the classes excepted from the general amnesty was eligible as a delegate unless pardoned by the President. This last provision was criticised as exceeding the Governor's instructions, for the only restriction imposed by the President's proclamation was that each delegate should have taken the amnesty oath.

Now that the election and the assembling of the convention were definitely provided for, candidates appeared and a livelier interest was shown in the questions that must come up for settlement. By this time the example of the other States and the known attitude of the President had wrought practical unanimity on the points that seemed most important: that slavery was a thing of the past and that the fact should be recognized in an amendment to the Constitution; that the war debt should be annulled or repudiated; and that the act of secession should be nullified. But as to the manner in which these things should be done, and as to the settlement of certain related problems, there was wide divergence of opinion. Should the secession ordinance be repealed simply, or declared null by reason of the failure of the war, or null and void from its inception? The war debt must be nullified, but what of a certain portion of the civil debt that had been used indirectly in prosecution of the war, and another portion that had been contracted in a manner prohibited by the Constitution of 1845? It was agreed that slavery must be abolished, but what of the status of the freedman? To what extent would it be safe and expedient to invest him with those civil rights that had long been the very foundations of liberty for the dominant race?

All of these were matters of the highest importance, but perhaps the last received the greatest attention. With respect to it most of the candidates showed varying degrees of conservatism. W. C.

Dalrymple, who proved the successful candidate in Williamson and Travis counties, said in a published letter: "My opponents, . . . each and all, concede something to the negroes; some more, some less, approximating to equality with the white race. I concede them nothing but the station of 'hewers of wood and drawers of water.' . . . If a republican form of government is to be sustained, the white race must do it without any negro alloy. A mongrel Mexico affords no fit example for imitation. I desire the perpetuation of a white man's government. . . . The negro is and must remain free. This is one of the results of the late conflict. He must be protected in person and property; this is due to justice and humanity, but I hope and believe that legislative wisdom can devise some mode of securing fully those rights without an equality in the courts of the country. Of course I am opposed to negro suffrage in whatever form or with whatever limitations it may be proposed."<sup>1</sup> This was the ultra-conservative view. Another candidate, also successful, Colonel M. T. Johnson of Tarrant county, a moderate unionist, declared in a published circular his opposition to granting the negro any political rights whatever, and insisted that he should be made to work by uniform laws regulating pauperism, labor, and apprenticeship; but at the same time asserted the necessity of treating him with justice and kindness in his helpless condition.<sup>2</sup> A large number favored allowing the freedman a right to testify in cases in which a negro was concerned. A few, the most advanced, would have extended this right to all cases. There seems to have been only one candidate, E. Degener, a prominent German of San Antonio, who openly advocated negro suffrage.

The most notable contribution to the public discussion was a long and earnest letter to the people of Texas from John H. Reagan, then a prisoner of war at Fort Warren, Boston Bay, where he had been confined since his capture in May. This letter was truly remarkable for the clearness with which it grasped the real facts of the situation and forecast the results that must inevitably flow from a failure to apprehend the spirit prevailing among the people of the North. It was written on August 11 and was published in the Texas papers about the first of October. The State, Reagan thought, occupied the position of a conquered nation. The

<sup>1</sup>See the *State Gazette*, January 6, 1866.

<sup>2</sup>See the *San Antonio Daily Herald*, January 3, 1866.

State government would not be restored until a policy was adopted acceptable to the will of the conquerors. "A refusal to accede to these conditions would only result in a prolongation of the time during which you will be deprived of a civil government of your own choice, and would continue subject to military rule." In order to avoid this danger it was necessary to recognize the supreme authority of the United States government and its right to protect itself against secession, and to recognize the abolition of slavery and the right of freedmen to the privileges and protection of the law. It seemed probable, however, that this alone would not satisfy the people of the North; it was very probable, in fact, that they would demand nothing less than suffrage for the freedmen. Reagan thought the South in no position to resist such a demand, although bitter opposition was to be expected on the part of Southern men. The demand could be satisfied by: *First*, admitting the testimony of negroes in the courts, subject only to the same rules as applied to whites; *second*, fixing an intellectual, moral, and if necessary, a property test for the admission of all persons to the elective franchise, regardless of race or color, provided that no person previously entitled to vote should be deprived of the right by any new test. The results of such a policy would be to remove the grounds of hostility between the races and put an end to sectional and interstate agitation.<sup>1</sup> The public, however, was far from ready for a strategic move involving so many concessions, and a perfect storm of disapproval arose. Reagan was compelled to suffer for a time the opprobrium so often the lot of those who can see further into the future than their fellows.<sup>2</sup>

The elections passed off quietly, only a small vote being cast because of the inclemency of the weather. Until the delegates assembled at Austin, as appointed, February 7, there was considerable doubt as to what element would be in control. It was soon apparent that a strong minority were "unionists." Of these the

<sup>1</sup>This letter is reprinted in Reagan's *Memoirs*, pp. 286-295. The original MS. is in the *Official Correspondence, Executive Archives*.

<sup>2</sup>His course, however, won him a measure of executive clemency. Hamilton warmly approved the letter, and both he and ex-Governor Pease wrote to President Johnson to secure a parole for Reagan in order that he might return to Texas where it was hoped his great influence and integrity of character would be useful in securing the best interests of the State. (See MS. in *Johnson Papers*.) He was immediately released, but found his opinions in such disfavor that he retired to the privacy of his farm without taking any further part in the discussion of public matters.

more prominent were I. A. Paschal and E. Degener of San Antonio, John Hancock of Austin, always a staunch opponent of secession, but now inclined to a moderate policy; J. W. Throckmorton, later "conservative" Governor; E. J. Davis, later "radical" Governor; Shields, X. B. Saunders, Latimer, R. H. Taylor, Ledbetter, and J. W. Flanagan. A number of equally aggressive "secessionists" were present, some of whom were in the classes excepted from the general amnesty and had so far failed to secure presidential pardon. The most conspicuous was O. M. Roberts, who had been president of the secession convention in 1861 and whose presence was therefore especially resented by those who regarded secession as treason. Of the same class were ex-Governor H. R. Runnels, John Ireland, C. A. Frazier, D. C. Giddings, R. A. Reeves, ex-Governor Henderson, J. W. Whitfield, and T. N. Waul. A considerable element in the convention, the group which really held the balance of power, should be classed as merely conservative. They were likely to vote against the unionists out of opposition to radicalism rather than because of hostility to the United States government.

The convention took up its work in the most leisurely manner. The greater part of the first three days was consumed in the mere preliminaries of organization. J. W. Throckmorton was elected president on the second ballot. His election was regarded with satisfaction on all sides. He was an original unionist, one of the seven who had voted against the ordinance of secession in 1861, but he had entered the Confederate service as commissioner to the Indians and rose to the rank of brigadier-general. As president of the convention he was drawn more and more to the side of the majority and became the chief defender in Texas of President Johnson's policy.

The first skirmish between the opposing factions came on the third day when Paschal introduced a resolution to appoint a committee to acquaint the Governor that the convention was organized and "ready to take the constitutional oath" and to receive any communication he thought proper to make.<sup>1</sup> The secessionists were up in arms immediately against taking the constitutional oath. Roberts, Reeves, and Frazier hotly insisted that the delegates had

<sup>1</sup>See *Convention Journal*, p. 11.

met only in "a primitive capacity" to make a Constitution and to organize a government; that they had no status as officers of the United States, and therefore it was not incumbent upon them to take an oath of such character. Paschal and Saunders defended the resolution by pointing out that as the convention had been called by the authority of the United States to frame a State government in accordance with the laws of the United States, it was just as necessary for the members to take the regular oath as it was for any other officials acting under that government to take it. At this juncture, Hancock, reputed a "soft unionist," offered as a compromise an amendment that required only that those members who had not already done so should take the amnesty oath instead of the objectionable one.<sup>1</sup> This was by no means satisfactory to the unionists and in an effort to strike out the amendment they were defeated by the narrow margin of thirty-nine to forty-one. Hancock's amendment was adopted and the resolution passed. It was the first alignment of forces and it is worth noting that the president, Throckmorton, supported Paschal's resolution. Before the next day the victorious reactionaries repented of their action. It would not do for the news to go abroad that the first act of the convention had been an expression of hostility, or at least of disrespect, toward the national Constitution. After the hurried consultation they decided to retrace their steps. Immediately after convening next morning, Hancock moved a reconsideration of his resolution, and it was carried by an overwhelming majority, only eleven irreconcilables, among whom were Giddings, Ireland, and Runnels, opposing. Paschal then offered the resolution for taking the regular constitutional oath, and it passed this time without a division.

On the same day the message of Governor Hamilton was received. He recapitulated the instructions contained in his appointment, explained the necessity for his going beyond the letter of them in placing on the registration boards persons not designated by the President, and called attention to the fact that, contrary to the provisions of his proclamation governing the election, several persons who had been excepted from the amnesty and had not received

<sup>1</sup>*Convention Journal*, p. 12. For report of debate, see *Flake's Daily Bulletin*, February 15, 1866, or Ben C. Truman in *New York Times*, March 5, 1866.

the special pardon, were now occupying seats in the convention. After defending his course in not calling the convention earlier, and expressing concern at the apathy of the people in the elections, he pointed out that the other States had by too hasty action passed measures that debarred them from securing representation in Congress, and suggested that Texas might, by observing the developments elsewhere, profit by this delay. It was expected by the President, by Congress, and by the people of the United States that such changes would be made in the organic law of the State as would make it conform in spirit and principle to the actual changes wrought by the war. In the first place it would be expected that the convention express a clear and explicit denial, in such form as seemed proper, of the right to secede from the Union. In the second place it would be expected to manifest "a cheerful acquiescence" in the abolition of slavery by a proper amendment to the Constitution. Both of these questions had already been definitely settled on the field of battle and the sole function of the delegates was to recognize fittingly an accomplished fact. The next duty of the convention would be to repudiate the debt incurred by the State in support of the war, for to provide for its payment would be to justify its purposes. What portion of the total public debt incurred since the beginning of the war was of this character it would be difficult to ascertain, but it seemed that it would probably amount to three-fourths, and the report of ex-Governor Pease and Swante Palm was furnished to facilitate an investigation. Finally, and most important of all, was the determination of the civil and political status of the freedmen. Here the Governor expressed an apprehension that his views would not be acceptable to the majority of the convention, but he repeated his previous warning that if any legislation tending to re-establish slavery or to nullify any of the proper effects of emancipation were indulged in, or anything less than the full civil rights of free citizens were granted the blacks, it would delay indefinitely the return of the State to its normal place in the Union. In addition to full rights in the courts and in the holding of property, he earnestly advised the convention to make it possible in the future for the negro to attain to political suffrage. "I do not believe," he said, "that the great mass of the freedmen in our midst are qualified by their intelligence to exercise the right of suffrage, and I do not desire to see

this privilege conferred upon them," but, "if we fail to make political privileges depend upon rules of universal application, we will inevitably be betrayed into legislating under the influence of ancient prejudices and with a view only to the present. I think that human wisdom can not discern what is to be the future of the African race in this country. . . . I would not be willing to deprive any man, who is qualified under existing laws to vote, of the exercise of that privilege in the future; but I believe it would be wise to regulate the qualifications of those who are to become voters hereafter by rules of universal application."<sup>1</sup>

On the next day the Governor's complaint about the presence of unpardoned rebels in the convention bore fruit in a resolution by E. J. Davis to the effect that no person excepted from the amnesty should be entitled to a seat until pardoned. Ex-Governor Henderson offered a substitute referring all credentials to the Committee on Privileges and Elections, and the matter was finally referred to that committee. On the next day the committee called before it the delegates whose seats were thus in question, Runnels, Waul, Whitfield, and Ireland, and after consideration reported that these had all made application for special pardon and that the applications had been endorsed by the Governor. A resolution was finally passed allowing them to retain their seats pending the action of the president.<sup>2</sup>

The convention got down to work very slowly. It had been in session a full week before any move at all was made with respect to the secession ordinance. It was still four days later before the abolition of slavery was brought up for discussion. In fact as much time was taken up with the mere preliminaries of organization as had been required for the complete work of any of the State conventions of the previous summer.<sup>3</sup>

<sup>1</sup>See *Convention Journal*, pp. 16-27.

<sup>2</sup>*Ibid.*, pp. 29, 32, 42, 48.

<sup>3</sup>Mr. Ben C. Truman, who as correspondent of the *New York Times* and confidential agent of the president, had toured the South, attended all the conventions, and was certainly one of the keenest and sanest observers of conditions everywhere, seems for a time to have lost all patience with the dilatory progress of the Texans. In the *Times* of March 11 he says: "The Convention spends all its time electioneering for the United States Senate. It is a weak set." And he appends this sarcastic summary of its work up to that time:

"1st day. Convention met and adjourned without doing a thing.  
2nd day. Met and elected president and clerk. Adjourned.

On February 13 Latimer, of Red River County, introduced an ordinance on the first serious question with which the delegates were called upon to deal, the disposition of the ordinance of secession. There proved to be a great variety of opinions as to its character, and upon the subject party lines came to be closely drawn. The chief point at issue was whether the secession ordinance had been null and void from the beginning and that there had never been such a thing as "the right of secession"; or whether it was rendered null and void as a result of the war, with the clear implication that the right of secession had been at least an open legal question until the war had settled it. Latimer's ordinance simply declared null and void and of no effect from the beginning the ordinance of secession and all the other acts of the convention of 1861. Hancock proposed a substitute to the effect that the ordinance had been "in legal contemplation void, being a revolutionary measure, and subject to the general principles of revolutions."<sup>1</sup> This was a clever compromise, but suited neither side. On the next day Henderson offered an ordinance declaring that, inasmuch as the government of the United States "by the exercise of its power" had determined that no State had the constitutional right to secede, the said ordinance was repealed.<sup>2</sup> Later, Reeves wished simply to accept the decision of the war and, in order to restore the State to its former relations to the Federal government, merely to renounce the doctrine as asserted in the aforesaid ordinance of secession.<sup>2</sup> Judge Frazier was able to evolve another interpretation: that the inhabitants of Texas were a conquered people, governed by the laws of war and of nations, by which alone the United States government was restrained, and that these laws required no more of the people than that they should accept the will

3rd day. Met and elected more officers. Adjourned.

4th day. Met and refused to take the oath. Adjourned.

5th day. Met and reconsidered their refusal to take the oath and took it. Adjourned.

7th day. Met and argued whether the convention should do something or nothing. Adjourned.

8th day. Ditto.

9th day. Ditto.

10th day. Ditto.

11th day. Agreed to do something. Adjourned.

12th day. Did nothing. Adjourned."

<sup>1</sup>See *Convention Journal*, p. 35.

<sup>2</sup>*Ibid.*, p. 38.

<sup>3</sup>*Ibid.*, p. 44.

of the conqueror; and hence it was "not necessary to repeal, annul, or declare null and void that ordinance, since the surrender of the South had settled the question."<sup>1</sup> X. B. Saunders introduced an ordinance to the same effect as Latimer's, declaring the act of secession and all other acts of the secession convention null and void *ab initio*. This was the position of the staunch unionists. When the Committee on the Condition of the State reported, its ordinance was one that simply acknowledged the supremacy of the Constitution of the United States and declared the troublesome act "annulled and of no further effect."<sup>2</sup> The minority report of this committee asserted that as no warrant for the act of secession could be found in the Constitution which was the supreme law of the land, it must have been a nullity from the beginning; and even viewing it as a revolutionary measure, the result of the struggle forced the same conclusion, for "abortive attempts at revolution never impress any changes upon the fundamental laws of the government." Moreover, the report of the majority virtually asserted that the secession ordinance still had a legal existence up to the present time and was in actual force—a theory in every way untenable. The minority reported an *ab initio* ordinance.<sup>3</sup>

The real fight over this question began on March 9 and extended over three days. The *ab initio* men, or "radicals," as they were beginning to be called, struggled hard to substitute some form of the minority report for that of the majority. Not quite equal in numbers to their opponents, they failed in this, and then resorted to obstructive tactics. Finally, the conservatives by sheer strength pushed through to engrossment, on the afternoon of the 12th of March, by a vote of 43 to 37, the ordinance finally adopted,—acknowledging the supremacy of the Federal Constitution, declaring the act of secession null and void without direct reference to its initial status, and distinctly renouncing the right previously claimed by Texas to secede from the Union.<sup>4</sup>

The radicals were not at first disposed to accept their defeat gracefully. At a caucus of the minority held that night in the office of the Secretary of State, Hancock strongly urged the with-

<sup>1</sup>See *Convention Journal*, pp. 47-48.

<sup>2</sup>*Ibid.*, p. 62.

<sup>3</sup>*Ibid.*, pp. 79-81.

<sup>4</sup>*Ibid.*, pp. 146-165; Gammel, *Laws of Texas*, V, p. 887.

drawal of the *ab initio* men for the purpose of breaking a quorum and dissolving the convention in order that a new one might be called. However, Governor Hamilton would not promise to call another one at once, and there was nothing for them to do but to return to their seats.<sup>1</sup> *Flake's Bulletin*, a radical weekly paper of Galveston, declared as late as March 21, that the convention had "shown its hand by passing an emasculated ordinance known to be unsatisfactory to Union men everywhere"; that the majority had proven itself disloyal; that "the sole intent and meaning of this ordinance was to gain a rapid entrance into the national councils in order to renew the struggle and fight the rebellion over again"; and it suggested that as the majority was "still wedded, like Ephriam, to its idols," it might yet "become the duty of the loyal minority to withdraw from the convention."

It had been widely asserted by the radicals that nothing less than a distinct admission of the original illegality of the attempted secession would satisfy President Johnson and the North, and that without such an admission the new State government would not be recognized; and indeed the *Houston Tri-Weekly Telegraph*, the ablest of the conservative papers, had pointed out in November that the result of the fall elections in the North meant that the issues of the war had not been abandoned by the South in terms sufficiently decisive, and that to *repeal* the ordinance would not be enough, "for if it was ever valid it still is," but that "the whole idea of reserved State sovereignty and of partnership in the government must be expelled from the system forever." On the other hand it could hardly have been expected that the secession leaders would be willing to violate their records of "political consistency";<sup>2</sup> while there were many others who refused to "brand as traitors their fathers, brothers, and sons who had died in battle for the

<sup>1</sup>See letter of H. Ledbetter in *Flake's Weekly Bulletin*, May 23, 1866. The names of those at the caucus and absent from the convention are given in the *Convention Journal*, p. 165.

<sup>2</sup>Governor Hamilton is quoted as saying about this time: "After all, our people are doing about as well as a reasonable man ought to expect. Politicians must have their 'explanations' and their 'records'; they must be allowed to retreat gracefully and to fall gently; but the vast majority of them are all right at heart. They must have time." Truman to Johnson, MS. in *Johnson Papers*; see also in *Senate Exec. Docs.*, 1st. Sess., 39th Cong., Vol. II, No. 43.

South.”<sup>1</sup> In commenting on the action of the convention, the *Telegraph* of March 17 says: “They (the radicals) desired the convention should say that secession or revolution was a crime in itself, and consequently void. It was understood that this significance should attach to the words ‘null and void, *ab initio*.’ The idea attached to the ordinance passed is that *the war has decided* that it was null and void *ab initio*. On this difference the issue is raised. It is whether the people in their sovereign capacity shall declare that they did wrong knowingly and willingly in 1861 in attempting secession.” *Flake’s Bulletin*, in commenting on the foregoing, says: “The difference in position is defined with unusual clearness and great candor. . . . We do certainly desire that the ordinance of secession be declared a wrong knowingly forced upon the people of Texas by their political leaders. We contend that rebellion was wrong, that it was, in the theological language, original sin, that it was *malum in se*, and that the next rebellion will be just like it, wrong from the beginning.”

The most important subject that engaged the attention of the convention was the status to be given the negro. There was practical unanimity of opinion in regard to the abolition of slavery. All were now agreed that the institution had ceased to exist, for the Thirteenth Amendment had been ratified and declared in force in December; neither was there any division of opinion concerning the right of the freedmen to be secure in person and property. There was considerable debate upon the question of admitting negro testimony in the courts. The majority of the members were willing to admit such testimony in any case, civil or criminal, involving a right of, or injury to, any of them in person or property; there was a large and active minority, chiefly the political friends of Hamilton, that strongly urged the admission of negro testimony in all cases under the same rules that governed the testimony of the whites.<sup>2</sup> The latter proposition was repugnant to popular sensibilities because it was regarded as the first step toward social equality, and this was the chief argument against it, though it was also strongly urged that if the negro were allowed to testify only in cases affecting the negro, he was legally placed upon a better

<sup>1</sup>See speech of John Ireland in *Tri-Weekly State Gazette*, March 20, 1866.

<sup>2</sup>Strangely enough, Frazier, “the bitter rebel,” as Truman calls him, was among the advocates of this measure. See the *Journal*, p. 97.

foundation than the white man, since he would be able to subpoena witnesses from both whites and blacks, while the white man, where no negro was involved, could summon only those of his own color.<sup>1</sup> The radicals answered that a liberal policy was expected, nay, demanded by the government at Washington and backed by Northern sentiment, and would be prerequisite to readmission to the national councils; and furthermore, it was pointed out that as long as the freedmen labored under any disabilities in the civil courts there was no prospect of a release from the annoyance of the Freedmen's Bureau. The article first reported by Hancock from the Committee on General Provisions of the Constitution, February 17, provided that slavery should not exist in the State and that freedmen should be secure in all rights of person and property, and should not be prohibited from testifying in any case affecting one of their own color. A number of amendments were offered to this section defining the rights of freedmen in the courts, but despite the efforts of a few to place closer restrictions thereon, and of a strong minority to extend them to all cases, the provision went through essentially unchanged. As finally adopted, the ordinance, which became Article VIII of the Constitution, declared that African slavery having been terminated by the United States government by force of arms and its re-establishment prohibited by an amendment to the Constitution of the United States, neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party should have been duly convicted, should exist within the State. Negroes were to be protected in their rights of person and property; to have the right to sue and be sued, to contract and be contracted with, to acquire and transmit property; and all criminal prosecutions against them were to be conducted in the same manner and with the same penalties as in the case of whites. They were allowed to testify orally in any case, civil or criminal, involving the right of, injury to, or crime against any of their own race in person or property, under the same rules of evidence that were applicable to the white race; and the Legislature was empowered to authorize them to testify as witnesses in all other cases, under such regulations as should be prescribed "as to facts hereafter occur-

<sup>1</sup>Truman to Johnson. MS. in *Johnson Papers*; also in *Sen. Exec. Docs., 1st Sess., 39th Cong., Vol. II, No. 43.*

ring.”<sup>1</sup> This last clause, if not distinctly a concession to the minority, at least wisely left the matter open for determination according to future developments. Whether the Texans were more liberal in this respect than the delegates to the other State conventions or whether they felt themselves driven to this position by the Civil Rights Bill then under consideration in Congress is not easily apparent. Truman thought them freely inclined to favor the negro;<sup>2</sup> and it was evident that few of them believed that the bill could pass over the President’s veto. Moreover, the most of them, including many that had favored the most liberal policy toward the negro, were very hostile to that bill because it invaded a field which they regarded as being exclusively under the jurisdiction of the States.

The idea of negro suffrage found little favor on any side. De-gener offered a long minority report from the Committee on Legislative Department in advocacy of unrestricted suffrage, but he stood practically alone. Few, even of those who did not oppose it, would openly advocate it.<sup>3</sup> On the whole, Texas had granted the freedmen more civil rights than had any other southern State, though she had not gone as far as it was understood that President Johnson desired. Still, it was asserted by the radicals, now becoming identified with the anti-Johnson party, that it was the President’s veto of the Freedmen’s Bureau Bill during this time that had encouraged the majority to refuse the negro wider privileges.<sup>4</sup>

The question of the public debt presented a peculiar difficulty. There was no hesitation in repudiating the war debt, but the third section of the ordinance reported by the Committee on Finance repudiated the entire civil debt incurred between January 28, 1861, and August 5, 1865.<sup>5</sup> On this point there was a sharp debate, but the majority in its favor, comprising men of both parties, was

<sup>1</sup>See Gammel, *Laws of Texas*, Vol. V, p. 881.

<sup>2</sup>Truman to Johnson in *Sen. Exec. Docs.*, 1st Sess., 39th Cong., Vol. II, No. 43; also his testimony before the Reconstruction Committee in *House Com. Reports*, 1st Sess., 39th Cong., Vol. II, Part IV, p. 137.

<sup>3</sup>Ben C. Truman testified before the Reconstruction Committee that there were seven men in the convention who favored negro suffrage and that four voted for it. See *House Com. Reports*, 1st Sess., 39th Cong., Vol. II, Part IV, pp. 136, 137.

<sup>4</sup>Wm. Alexander to Alonzo Sherwood, MS. in *Johnson Papers*.

<sup>5</sup>See *Convention Journal*, p. 117.

so strong that obstructive tactics availed little; and with slight modifications the ordinance was passed on March 15. The reasons advanced for repudiating the civil debt were: (1) that the treasury warrants, comprising the greater part of it, had been issued in plain violation of the Constitution of 1845, which must be regarded as still in force;<sup>1</sup> (2) the State authorities had recklessly issued warrants to the stupendous amount of nearly fifteen millions of dollars, and to impose upon the State the obligation to remove such a mountain of debt, even though the warrants be redeemed at face value at time of issue, would not only drive away immigration but would bankrupt the State; (3) that nearly all of these warrants had found their way into the hands of the "gang of heartless stay-at-home speculators," who had shirked their duty during the war, and it would be unfair to tax for their benefit the poverty-stricken soldiers in the ranks; (4) that a large amount of the debt, as much as three millions of dollars, had been issued to regulators for hunting down and executing without trial loyal citizens of the United States then resident in Texas.<sup>3</sup> How much support each one of these arguments contributed to the measure it would be difficult to determine; but they combined strong legal and partisan reasons; they presented an array that was overwhelming. Perhaps, however, this act was attacked with more bitterness by the press than all the other measures together. Certain of the conservative journals in particular exhibited a resentment that was most bitter.<sup>4</sup> The *San Antonio Herald*, which had shown some anxiety on this point previous to the convention, asserted that the warrants of the State had nothing on their face to show that they were in any way connected with the rebellion; that most of the debt was for purely civil services and that the rest was for the defense of the frontier against the Indians. The *State Gazette* declared the repudiation an act of bad faith, one that had not been

<sup>1</sup>Article VII, Section 8, of that Constitution provided that "In no case shall the Legislature have the power to issue Treasury Warrants, Treasury Notes, or paper of any description intended to circulate as money."

<sup>2</sup>J. K. Bumpass in *State Gazette*, quoted in *San Antonio Daily Herald*, April 3, 1866.

<sup>3</sup>For the arguments here presented in favor of this ordinance I am indebted to the Hon. X. B. Saunders of Belton, Texas, who was a member of the Convention.

<sup>4</sup>It was asserted at the time that several held in their possession large amounts of the now worthless State warrants.

required by the Federal government, and not adopted in the other States of the South that had suffered far worse during the war than had Texas.

Although these important measures concerning secession, the freedmen, and the war debt were the only ones that the convention had been specifically required to take up, there were other matters that naturally came up for consideration. An ordinance of great importance was one recognizing certain acts of the government *de facto* as it existed during the war. When the Federals first took control of the State all the acts of the State government subsequent to the ordinance of secession were declared illegitimate. This, however, was felt to work an unnecessary hardship in many cases, and Governor Hamilton had gradually adopted the policy of recognizing as valid such acts and laws as were not in conflict with the laws of the United States. It was generally felt to be absolutely necessary for the peace and well being of society that the private law status of citizens should not be disturbed by reason of the war. Under the authority of the State government during the war property had been transferred; estates administered; contracts entered into; business relations formed; courts held, judgments rendered, and decrees executed; marriage relations entered into and children born. To have disturbed or destroyed the legitimacy of all these acts would have been to undermine and destroy the very foundations upon which depended the stability of society. Such a course could have subserved no useful purpose in State policy, for these acts could not be construed as having been "in aid of the rebellion." Consequently, long before the convention was called, the provisional authorities had made and recognized a distinction between those acts in aid and support of the rebellion and those which had been primarily for the purpose of regulating the private relations of the people and without any direct relation to the war. But notwithstanding this distinction was already recognized and acted upon, it was necessary for the convention to embody it in the organic law of the land in order to insure the permanence of the principle. The ordinance passed on the subject was a sort of omnibus bill, covering a wide range of related subjects. All laws and parts of laws enacted by the Legislature subsequent to the 1st of February, 1861, and not in conflict with the Constitution and laws of the United States, nor with the Consti-

tution of Texas as it was prior to that date, nor in conflict with the proclamations of the Provisional Governor, were declared to be in full force as laws of the State; and all acts of the different officers of the State, executive, legislative, and judicial, done in compliance with the laws not in conflict as above stated, were declared in force, unless annulled by act of the convention. All acts of the secession convention were annulled. The acts of the provisional government and its officers were declared valid. Furthermore, it was provided that no suit or prosecution should be maintained or recovery had against any agent, bailee, executor, administrator, or trustee, who had been compelled to deliver up property or money held by them to Confederate States' receivers. No person was to be sued or prosecuted for any action done in compliance with superior orders under Confederate authority.<sup>1</sup> Persons absent from Texas during the war, against whom any judgment was rendered in a civil suit during such absence, were allowed two years from April 1, 1866, in which to reopen and set aside such judgment, with the effect to set aside any sale or disposition of any property affected.<sup>2</sup>

A number of minor matters are worthy of passing notice. Certain amendments were added to the Constitution—that of 1845—lengthening the terms of most State officers to four years and increasing the salaries. Some changes were made in the form and jurisdiction of the courts with a view to greater efficiency. The Governor was requested to petition the President for more adequate frontier protection. An ordinance was passed on the last

<sup>1</sup>This part of the ordinance was bitterly attacked by Governor Hamilton in a violent and angry speech before the convention on March 31. He said: "The Convention have passed a measure legislating wholesale robbery and murder throughout the land. A measure of peace! Does it bring peace to the bereaved hearts made desolate by such deeds? . . . I imagine the friends of this resolution had in their minds certain gentlemen here and there who were receivers under the Confederate States' laws. . . . The loyal citizens were robbed, and now because these receivers acted under authority, they must be protected and you imagine this Convention is powerful enough to protect them. They will and shall be called to account. There is but one cure. They must leave this country or account for it just as sure as the sun is shining in Heaven above us. . . . You (the members) have an account to settle before the people yet. You have not done with this. You shall confront them, and shall answer to them, and if God spares my life, I pledge myself to go before the people of the State and draw these men up and make them answer." See *Southern Intelligencer*, May 24, 1866.

<sup>2</sup>See Gammel, *Laws of Texas*, pp. 895-898.

day providing for a possible division of the State, the vote standing 31 to 17.<sup>1</sup> One of the last acts of the convention was the appointment of four delegates who were to proceed to Washington and lay before the President the result of their deliberations and to "endeavor to impress upon the national authorities the loyal and pacific disposition of the people of Texas." On several occasions the majority had attempted to get through resolutions endorsing President Johnson's policy, but action was delayed until at the last minute the measure failed for want of a quorum.

The action of the convention in passing the ordinances concerning secession, the freedmen, and the debt was to be regarded as final, but the amendments to the Constitution were to be voted upon at the first general election for State, district, and county officers, which was fixed in June. The new State government was to be inaugurated in August.

The convention adjourned on April 2, after a session of eight weeks. By this time the two parties, radical and conservative, which had been in evidence almost from the first, had become something more nearly approaching definite organizations. The acts of the convention were looked upon as being chiefly the work of the conservatives, and were in consequence bitterly attacked by the radical newspapers, especially by the *Southern Intelligencer*, which had become the recognized organ of the radicals. The *Intelligencer* declared that the convention had done things it ought not to have done and had left undone the things that it ought to have done. It had failed to declare secession null and void from the beginning; only a portion of the civil rights had been conceded to the freedmen; and it had failed to submit all its ordinances to the people for ratification. Nor were the conservative papers altogether pleased with the last days of the session, and at first they did not attempt to conceal their dissatisfaction. Each party in the convention had begun maneuvering in anticipation of the June elections, and in haste to get an early start in the canvass and unwilling to wait for a State nominating convention, each had resorted to the old expedient of a caucus nomination. The *San Antonio Herald*, the *Austin State Gazette*, and the *Houston Tele-*

<sup>1</sup>The demand for separation was especially strong in the western part of the State where the union sentiment had been very strong and where there were a great many Germans.

*graph* joined in denouncing this caucus nomination, which, taken with the refusal to submit certain of the ordinances to the people, they regarded as proof that the delegates cared only to grab all the offices and considered this as more important than the welfare of the State. Some of these papers, too, were still smarting over the repudiation of the civil debt. But this did not last long; the conservatives were soon forced by the pressure of party strife to accept and defend the work of the convention and to support the caucus-made nominees of their faction.

## BOOK REVIEWS AND NOTICES.

*A History of the Baptists of Hill County*, by J. C. Daniel. (Waco, 1907, pp. 132.) This little volume gives a brief account of each of the Baptist churches established in Hill County from the earliest days to the present, with short biographical sketches of their preachers and of the laymen most prominent in the church work. The last third of the book is given over to sketches of the various church associations in the county and the State. The book contains a great many illustrations, most of which are well done; the print is clear, the paper fairly good. It should prove helpful to those for whom it is specially written.

C. W. R.

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*Pioneer History of Wise County* (Decatur, Texas, 1907, pp. 471), by Cliff D. Cates. The author of this book is secretary of the Old Settlers' Association of Wise County, and has put together an interesting account of the pioneer and frontier days in what was, until some thirty years ago, a frontier region. The first settlements, the organization of the county, the privations of a new country, social life among the settlers, and numerous Indian raids and massacres make up the most interesting part of the book. A fairly large part is devoted to biographical sketches which, unhappily, are inserted in most haphazard fashion. The story is brought down to the coming of the railroads and a chapter is given to Wise County as it is today. The author has evidently been at some pains to collect his material. The volume is neatly bound and fully illustrated, but lacks an index. It is to be hoped that something of the sort may soon be done for other counties or districts of Texas.

C. W. R.

## AFFAIRS OF THE ASSOCIATION.

TREASURER'S REPORT, MARCH 1, 1907, TO MARCH 1, 1908.

*Receipts.*

Balance on hand at last report.....	\$1787 64
By membership dues.....	654 00
By current dues.....	860 90
By collected dues.....	603 80
By sale of <i>Quarterly</i> .....	513 60
By sale of reprints.....	120 75
By sale of binding.....	105 00
By interest on notes and deposits.....	35 09
By advertising .....	28 00
By donations .....	10 00
By sundries .....	32 20
Total.....	\$4750 98

*Expenditures.*

Luther E. Widen, commissions.....	\$ 899 78
Printing stationery.....	533 29
Clerical work.....	163 13
Postage .....	121 07
Stationery .....	38 65
Special work.....	14 77
Engraving .....	46 00
Printing <i>Quarterlies</i> .....	647 67
Exchange .....	8 80
Reviewing .....	5 00
Balance on hand.....	2272 82
Total.....	\$4750 98

This is to certify that I have examined the above, and find same correct.

E. L. DODD, Accountant.



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